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COMMENT

Against Cabinet Government

In England the labor party is revolting against cabinet government claiming that it restricts the proper freedom of parliament. This is extremely interesting in view of the sentiment in this country for increasing the responsibility of the governor to the legislature through the introduction of some form of the parliamentary system.

The resolution now being considered by the labor party provides for the abolition of cabinet government in favor of government by committees, the chairmen of which would correspond to the present ministers. This is analogous to the form of municipal government in England.

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Annual Meeting of Governmental Research Conference

The Governmental Research Conference of the United States and Canada will hold its next meeting in Minneapolis, June 13 to 16. As our readers are aware, the Conference is the organization of the various bureaus of governmental research. F. P. Gruenberg, director of the Philadelphia Bureau of Municipal Research is chairman; Harold L. Henderson of the Citizens Bureau of Milwaukee is vice-chairman and Charles B. Ryan of the Municipal Research Bureau of Cleveland is secretary-treasurer.

Meetings of the Conference are always animated and helpful and a large attendance is expected. F. L. Olson of the Minneapolis Bureau of Municipal Research is in charge of the local arrangements.

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One Reason Why Civil Service Is Not Always 100% Efficient

Readers of the REVIEW are fully aware that civil service commissions labor under serious handicaps due to insufficient appropriations. The trouble is, of course, that the legislative bodies, in nation, state and city, are at bottom hostile to the idea underlying the merit system. The merit system is all right, they reason, but it must not be applied to the detriment of the legislators' political ambitions.

So it is rendered innocuous by under nourishment. An extreme and cruel case has just come to our attention. The city commission of Tacoma, Washington, appropriated the shameful amount of $750 to carry on the work of the civil service board for the year 1923. This allows the board to employ only a part time clerk, and prevents it from giving any examinations whatever.

Before discarding the civil service commissions, it might be well to try them.

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A Notable Report on County Government

The report on county and township government prepared by the Joint Legislative Committee on Taxation and Retrenchment of the State of New York is an attractive volume of 310 pages and should be secured and read by all who are interested in county and local government. The research staff, in fact responsible for the report, was furnished by the National Institute of Public Administration, Dr. Luther Gulick, director. It is based upon an exhaustive field survey of various typical counties in the state and forms a distinct contribution to our meager stock of concrete information as to how county and rural governments operate.

The subjects investigated include the organization of county and village government, the local administration of justice, county welfare work, local tax administration, highway administration, financial planning and control, and personnel management. The committee has not been sparing in criticism of existing conditions, which it finds generally far from satisfactory. Neither has it been timid in proposing remedies. Indeed the surprising thing is that a legislative committee, in view of the close relationship of the state legislature to county politics, should have the courage to go as far as this committee has gone. It is another evidence of the compelling power of facts. A more extended review of the report will appear in the next issue. Copies may be obtained from Gerald Casey, Senate Chambers, Albany, N. Y.

A New Public Service

The Architects' Small House Service Bureau of the United States, the organization of which was reported in the REVIEW more than a year ago, is now functioning and is able to provide prospective builders of small houses with working plans and specifications at nominal cost. The Bureau is controlled by the American Institute of Architects and is organized on a non-profit making basis. Architects contribute their services in drawing plans at small fees and these plans are then made available to all.

To date the Bureau has published two books bearing the same title, "How to Plan, Finance and Build Your Home." One contains 102 plans of all types and kinds of houses adaptable to all localities and ranging in size from three to six rooms. The other contains 50 plans. They can be purchased for $2.50 and $2.25 respectively from the national headquarters, Minneapolis.

In addition to the plans, the books contain articles invaluable to one who would build a home. Typical subjects are how to choose a location, how to finance the building, what types of heating and plumbing to install, how to wire for electricity, interior decoration, etc. In addition to these books the Bureau publishes a monthly magazine, subscription rate $1.50 a year. It is not interested in homes larger than six rooms, and advises all who would build larger to employ their own architect.

The build-your-own-home movement has given rise to various sets of hand-me-down plans but none that we have seen are as delightful and practical as these. The work of the Bureau will be exemplified in better, more economical, and more artistic homes; and who will say that America does not need these.

SIGNS LEAVE A FEW SCENIC OPENINGS

LONG DISTANCE COMMUTERS BETWEEN NEW YORK AND PHILADELPHIA ORGANIZE CLUB SO THAT MEMBERS MAY SLEEP BETWEEN GAPS

"THEY say that the line 'Man's inhumanity to man makes countless thousands mourn' was written many years ago by an English poet," remarked the older traveler over the Philadelphia to New York route of the Pennsylvania, "but I've always felt the writer must have ridden over this line at some time, he so completely expresses the cruelty of planting these hideous advertising signboards along the tracks, making countless thousands of travelers mourn because they can't see the beauties of the country."

"Ye-eh," agreed the younger traveler who shared the seat. "You ought to join our Scenic Censor Club. We manage it so that we can get interludes of scenery at least between the signboards."

The eyes of the younger traveler who had just spoken had remained tightly closed since leaving Manhattan Junction. Yet he did not appear to be courting slumber. As the signboards ended and a stretch of open country was revealed his eyelids popped open.

"Country's looking beautiful this year," he commented. "The rains have kept things as fresh as May."

CLOSES EYES AS SIGNS APPEAR

The train swung by a stretch of woods where pink wood honeysuckle peeped out from rich banks of varied foliage and ferns.

"Glorious!" commented the younger traveler.

To the surprise of the older traveler his companion's eyes closed, even as he finished this remark. He leaned back, relaxed, against his seat.

"Those beastly signs!" groaned the older traveler. The train was flying by a stretch of meadow whose beauty was entirely destroyed for the traveling public by the gigantic signboards.

Exactly at the moment when these monstrosities were passed the younger traveler opened his eyes.

"Very pretty little spot," he remarked as the train rounded the rose-bordered stretch opposite Princeton Junction.

"Say, look a-here," demanded traveler No. 1. "How do you always manage to fall asleep while we're passing the advertising horrors and awake the second we've passed them?"

"That's the Scenic Censor Club," explained the younger traveler complacently. "Didn't you hear Bill Jones whistle? Bill's our lookout. When he sees the signboards at hand he whistles once. When the signboards are passed and the scenery commences he whistles twice. Some of us who travel a lot by this road and like to look out at the grass and trees without running up against the signboards spell each other in taking the lookout. Bill's on duty to-day and I'll serve next trip.

ALL BUT ONE CAN ENJOY TRIP

"Each trip all of us but one is guarded against the signboard nuisance. We relax and close our eyes while the signboards are in view and look out again when we come to the

scenery. Of course between Princeton and Trenton there isn't much but signboards, so we lie back with our eyes closed until Trenton is passed."

"But what will you do when it's solid signboards all the way from New York to Philadelphia?" asked the older traveler.

"What'll we do?" repeated his fellow traveler. "We'll have to sleep all the way or at least keep our eyes closed. Life will be one long tunnel if it comes to that."

ED. NOTE.—Reprinted by permission from the New York *Sun*.

KANSAS DECISION BROADENS LAW OF ZONING

BY GEORGE SIEFKIN, ESQ.
Wichita, Kansas

The Kansas supreme court has sustained the exclusion of retail stores from residential districts. The opinion states that "there is an æsthetic and cultural side of municipal development which may be fostered within reasonable limits." :: :: :: :: :: :: ::

CAN a drug store, meat market, grocery store or like commercial building be lawfully excluded from a residential district by legislative enactment? The supreme court of Kansas, in a decision rendered in March, answers this question in the affirmative.[1]

The case appears to be the first clear-cut decision in the United States in which a commercial building has been excluded from a residential district solely upon the ground that it is a commercial building, and marks another step forward by a court of last resort toward the recognition of the æsthetic as a basis for the systematic development of a city and the maintenance of property values.

BUILDING PERMIT ORDERED UNDER COMMON LAW

Ware owned certain lots in the residential district of Wichita, upon which he desired to erect a one-story, cement block building running to the sidewalk in the front and to the property lines on the side. He made application for a permit to build in due form, to the proper officials, who refused to issue such permit on the ground that the zoning ordinance, which would soon be passed, would prohibit a commercial building at that location. He thereupon brought an action in mandamus and the city brought an action to enjoin the erection of the building, alleging that it constituted a common law nuisance. Ware prevailed in both actions before the trial court, the injunction being denied and the permit ordered issued.

Within a very few days thereafter, and before any material work was done on the premises, the zoning ordinance was passed and the city brought a second injunction suit setting up the ordinance and the statute authorizing it.

It is to be noted that Ware at no time specified the exact use to which the

[1] *Ware* v. *City of Wichita*, 112 Kan. —

building should be put, stating only that it would be rented for a grocery store, drug store or like commercial use, to be determined later.

The case thus presents two decisions involving this property. In the first, the court found that the adjoining property owner had no relief at common law. In the second, under legislative enactment the result was different.

While recognizing that "some conjectured but not yet existent oppression" might arise under such an ordinance which should be "judicially dealt with in due course," the Kansas supreme court, in a unanimous decision, upheld the validity of the legislation, saying:

> Cities may plan and create reasonable zoning districts for the future systematic development of the city, and provide therein for residential, commercial and industrial districts, and prohibit the construction of buildings at variance with such plan of development.

The court also held that there being no material change in the situation of the parties, that the zoning ordinance would control, notwithstanding the court decision ordering the issuance of a permit.

AESTHETIC FACTORS IN LIFE

What were the reasons given for the decision?

Judge Thornton W. Sargent, who rendered the decision in the lower court, said:

> While I think that the law and the ordinance in this case will now be upheld by our supreme court as constitutional, there is no doubt in my mind that twenty-five or fifty years ago such a law and ordinance would have been declared unconstitutional.
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> . . . Conditions have changed in the last twenty-five years and the police power has been greatly developed in that time.
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> The strongest objection made to the law and the ordinance, in the opinion of persons opposed to such law, is that it deprives persons of their property without due process of law and takes private property for public and private use without compensation. In my opinion the law and ordinance act in directly the opposite way.
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> . . . Such a law and ordinance prevent a man from erecting a hovel or shack by the side of a beautiful residence and thereby depreciating its value. Heretofore the law has been careful to look after the man who put his property to the poorest use; under such a law and ordinance the law will protect a man who puts his property to the best use.

And in the supreme court, Justice Dawson, who wrote the opinion for the court, said:

> There is an æsthetic and cultural side of municipal development which may be fostered within reasonable limitations. Such legislation is merely a liberalized application of the general welfare purposes of the state and federal constitutions.

The opinion also quotes with approval the language of a Minnesota decision (*State* v. *Houghton*, 144 Minn. 13) as follows:

> It is time the courts recognized the æsthetic as a factor in life. Beauty and fitness enhance values in public and private structures. But it is not sufficient that the building is fit and proper standing alone; it should also fit in with surrounding structures to some degree.

A FAR STEP FROM THE DOCTRINE OF NUISANCES

This is a far step from the old nuisance doctrine under which the courts excluded foundries, slaughter houses, coke-ovens, glue factories and fertilizer plants, and even from this doctrine as it has been extended by the courts to include saloons, livery stables, cancer hospitals, undertaking parlors, billboards, garages and lumber yards. It would hardly be contended that a drug store or grocery store should be placed in the same class as a glue factory or a garage. The decision of the trial court

in refusing an injunction before the zoning ordinance was passed conclusively denies that these businesses can be considered in the same class. For the same reason, the argument that about a commercial building there is danger of fire, contagion, unwholesome odors, noise or confusion, must also fall, for if such conditions do exist it would seem that they would be sufficient to justify the court in acting without legislative authority.

There can be no question but that the controlling thought of the decision is the "systematic development of the city" and the protection of property values in residential districts from destruction by encroachment of industries. The statement which follows the quotations above cited, that "a reasonable zoning ordinance has some pertinent relation to the health, safety, morals and general welfare of the community" can, in the light of the remainder of the opinion, only mean that the police power is being more liberally interpreted by the Kansas court to include the betterment of living conditions.

While the reasons for the decision as given in the opinion are interesting from a legal standpoint, the really important thing is the decision. By it new buildings erected are required to conform to existing residences, both as to frontage and as to yards. And, most important of all, residence property values are protected from destruction by commercial buildings of any kind or character.

IS P. R. CONSTITUTIONAL?

WITH SPECIAL ATTENTION TO THE OHIO DECISION

BY E. L. BENNETT

THE constitution of Ohio gives cities which adopt charters of their own framing all powers of local self-government, whereas those of Michigan and California give such powers subject to the provisions of the constitutions. This distinction would alone have saved the proportional representation provisions of the Cleveland charter from the fate which befell those of Kalamazoo and Sacramento. Both the court of appeals and the supreme court of Ohio make the distinction in rejecting the Kalamazoo precedent. In the opinion of the court of appeals it was the sole ground relied upon to sustain the charter, although the court discussed the effects and merits of proportional representation at some length,

ED. NOTE: The Ohio decision supporting proportional representation in the new Cleveland Charter was delivered by Judge Florence E. Allen, who was elected to the supreme court of Ohio in 1922, after two years on the common pleas bench of Cuyahoga county. She is not only the first, and at this time the only woman member of a supreme court, but she is one of the youngest as well, being not yet forty. Her first decision, discussed in the following article, reveals judicial ability of high order, in the analysis and cogent statement of the issues in the case. Her discussion of law affecting the validity of P. R. is much clearer and more comprehensive than anything in the far longer decision of the Michigan court. She is skillful in the use of precedents, but she is not fully controlled by them. She exhibits a very salutary disposition first to examine the primary sources of the law. Her language can be read and understood with ease, and does not thereby suffer in clearness or power.

and with far greater equanimity than did the Michigan court.

BROAD HOME RULE POWER IN OHIO

In the decision of the Ohio supreme court the sufficiency of the home rule grant to endow municipalities with powers they could not have under the rest of the constitution is reaffirmed, with citations of numerous earlier Ohio cases. And Judge Florence Allen, whose first supreme court decision this is, availed herself of the opportunity to expound the home rule doctrine:

> To hold valid this system of voting adopted by the people of Cleveland is merely to carry out the plain meaning of the constitutional provision that municipalities shall have all powers of local self-government, and to give effect to the power that takes precedence over all statutes and court decisions,—the will of the people, as expressed in the organic law.
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> * * *
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> After all, is not the purpose of the home rule amendment to the constitution exactly this, that progress in municipalities shall not be hampered by uniformity of action; that communities acting in local self-government may work out their own political destiny and their own political freedom on their own initiative and in their own way; and with this purpose in mind, should not the enactment of political alterations in the structure and substance of a charter government be given every possible presumption of validity? There is a presumption that the enacted statute is valid. Not less should there be a presumption that changes enacted according to law in the organic constitution of a home rule city are valid.

The court might easily have rested its decision upon the home rule grant alone, and thus have avoided the question as to whether P. R. would have been constitutional in Ohio, if the Ohio home rule grant had been restricted as in Michigan. Indeed, some members of the court appear to think that the plenary home rule grant is the sole basis of the decision. But in the text of the decision the entire discussion of the home rule grant follows a "moreover," after a rather devastating criticism of the basis of the Michigan and California decisions.

THE RIGHT "TO VOTE AT ALL ELECTIONS"

The attack was made in each of the three states that P. R. violated that provision—substantially identical in the three constitutions—which entitles every qualified elector "to vote at all elections." The supreme court of Michigan and the California court of appeals found that P. R. does violate this provision, the violation consisting in this, that P. R. does not permit the elector to vote for as many persons as there are to be elected.

All the courts, of course, were aware that the elector may mark as many sequential choices on his ballot as he pleases. That only one of these choices can become effective seems also to be understood by all the courts, although the Michigan court betrays an incomplete grasp of the values of the successive choices by referring to them as "numerically dwindling and weakening." The Michigan court rejects these choices as not constituting votes in the sense required by the court in the Michigan cumulative voting case of 1890 (*Maynard* v. *Board of Canvassers*, 84 Mich. 228), and in the Ohio restricted voting case of 1874 (*State ex rel* v. *Constantine*, 42 O. S. 437).

The language of the Ohio decision most nearly bearing upon this point occurs in some paragraphs discussing the counting and effect of the P. R. ballots. Counsel for both sides had agreed that the P. R. ballot is counted only once, meaning thereby that it becomes effective in the election of only one candidate. The court makes a distinction to the effect that while it may become effective only once, a particular ballot is physically counted

upon every transfer. Without attempting to establish any relative degree of effectiveness as between the P. R. ballot and any other, the court points out that there is no constitutional requirement as to effectiveness of any elector's vote, and that gerrymanders and other devices may greatly affect the value of particular ballots under the usual schemes:

> The vote of an elector may then under our present form of state and national government be shorn of its effect so far as the actual election of the elector's candidate is concerned, without invalidating the method of election.

The court then narrows the question down to this: "Does the fact that the elector under this system votes a first choice for one officer only, there being from five to nine to be elected in the district, violate the provision of Article V, section 1 of the constitution, that every elector shall be entitled to vote *at all elections*?"

The California court of appeals had found violation, relying largely upon the force of the precedent set by the Kalamazoo case. The Kalamazoo case, aside from fulminations of the court's dislike of P. R., was based almost entirely upon the force of the precedents set by the Maynard cumulative voting case in Michigan and by the Constantine case in Ohio. The Maynard decision relies upon implications read into the Michigan constitution by the court, but cites the Constantine case with approbation. Very naturally, therefore, the attack upon the Cleveland charter sought to maintain the Constantine case as an authority binding upon the court against P. R.

In the present case the court first answers the question it had posed from the text of the constitution without regard to precedent:

> On the face meaning of this section, the Hare system of proportional representation does not violate the Ohio constitution, for the elector is not prevented from voting at any election. He is entitled to vote at every municipal election, even though his vote may be effective in the election of fewer than the full number of candidates, and he has exactly the same voting power and right as every other elector.

As between this face meaning and the doctrine of the Constantine case insisted upon by the plaintiff, the court recognized that the Constantine case "is certainly an authority against" the Cleveland charter. "*State ex rel.* v. *Constantine*, however, extended the plain language of the constitution far beyond the word meaning of the provision contained in Article V, section 1. To the clause 'shall be entitled to vote at all elections,' it added a clause—'and for a candidate for each office to be filled at each election.'"

The facts in the Cleveland case did not, however, require the court to say explicitly, "We reverse the Constantine case," and the syllabus does not mention the arguments upon this point. Ordinarily such unequivocal language as that in the body of the decision would be taken as overthrowing the doctrine of the Constantine case. But, curiously enough, it appears that some of the court are averse from recognizing the impairment which the Constantine doctrine suffers from the language quoted. Judge Jones wrote a very brief concurring opinion to assert that as to municipalities not operating under home rule charters the Constantine case "has not been overruled and its principles still apply." Judge Robinson, the sole dissenting member, expresses the same view, and objects that the home rule provisions of the constitution should be construed as subject to the Constantine doctrine.

The language of the two paragraphs last quoted cannot be reconciled with the decisions in the Kalamazoo and Sacramento cases, which rest very

heavily upon the Constantine case. And if we take this language at its face value, as Judge Allen took that of the Ohio constitution, the Constantine case is itself destroyed, notwithstanding the expostulations of certain of Judge Allen's colleagues. It is hard to imagine that it could again enjoy the potency as an adverse precedent which it had in Michigan and California. This, being so, should at the same time blight the Kalamazoo and Sacramento cases, so far as their use as precedents in other states is concerned.

IS THE COUNTRY HEALTHIER THAN THE TOWN?

There is a general impression that the selective service law demonstrated the physical inferiority of the city man. But did war statistics really show this? And with respect to preventable diseases the country record is inferior to the town's. :: :: :: :: :: :: ::

I. THE PHYSIQUE OF THE CITY MAN GOOD IN SPITE OF WAR STATISTICS

BY RUFUS S. TUCKER

In his little volume entitled *The War with Germany*, Colonel Leonard P. Ayres declares that the examination of registrants under the selective service law showed the country boys to have made "better records than those from the cities." "One hundred thousand country boys," he says, "would furnish for the military service 4,790 more soldiers than would an equal number of city boys." Colonel Ayres does not indicate the figures upon which his conclusions are based, and the map which accompanies his book differs in many respects from the official reports of the surgeon-general and the provost marshal general. But statements of the same general tenor have been commonly made by other writers; hence it may be worth while to examine the statistical evidence upon which they seem to be based.

CROWDER BELIEVES COUNTRY BOY HAS ADVANTAGE

General Crowder, in his *Second Report*, declares that "a considerable physical advantage accrues to the boy reared in the country." This conclusion is drawn from the following table:

Men examined in selected urban regions	100,000
Men rejected	21,675
Percentage of rejections	21.68%
Men examined in selected rural regions	100,000
Men rejected	16,894
Percentage rejected	16.89%

The urban regions selected for this computation were in the cities of New York, Chicago, Philadelphia, Cleveland, Milwaukee, Seattle, St. Louis, Cincinnati and New Orleans; the rural regions were in all states and were

chosen from those districts which had less than 1,200 registrants.[1]

The report of the surgeon-general states that "defects were found only eighty-seven one-hundredths, or seven-eighths as commonly in rural as in urban districts."[2] But in the same report it is explained that "part of this excess of defects in cities is probably due to the more critical examination by the physicians of cities, and to a more critical grade of examiners in the camps that drew from the more densely populated regions." In this case the line between rural and urban districts was drawn by classifying 204 cities of 25,000 or more inhabitants as urban and all other districts as rural. The actual number of persons examined was 1,336,906 in the urban and 2,427,195 in the rural districts; but only about one-half of these were re-examined at the cantonments. Consequently the difference in standards of examination between urban and rural examiners (if there was any difference) was not wholly corrected.

It would seem, however, that if the camp examinations were themselves uniform and unprejudiced the rural local examiners were more careful than those in the cities, for among the 681,749 men from urban districts re-examined at the camps 283,937 (or 41.65 per cent) were found defective; while among the 1,279,943 men from the rural districts re-examined at the camps only 456,367 (or 35.66 per cent) were found defective. At any rate a separate analysis of the results at Camps Devens, Upton, Dix and Grant shows that in each state contributing to these camps the proportion of men from rural districts found defective on re-examination was less than the proportion among urban men. The same is true if rejected men only are considered instead of all men with physical defects. We must conclude, therefore, that drafted men from the rural districts were in fact superior to drafted men from the cities in so far as physique is concerned.

[1] In his *First Report* General Crowder presents a table based upon 79,000 physical examinations from ten different states. This shows a ratio of rejections amounting to 28.47 per cent in urban and 27.96 per cent in rural districts. The urban districts, in this instance, are in cities of from 40,000 to 50,000 population with no large proportion of alien immigrants; the rural districts are counties in the same states containing no city of 30,000 or more.

[2] *Defects Found in Drafted Men* (Washington, 1920), p. 348.

URBAN MEN VOLUNTEERED EARLIER

Does it then follow, however, that the urban population as a whole, or even the urban male population of military age, is inferior to that of the rural districts? And if it does follow, is this inferiority the result of the urban environment, or of the methods of city life, or of the racial structure of the city's population? As to the first query it should be remembered that over 1,400,000 men volunteered during the war. These, we know, came in greater proportion from the urban states than from the rural ones, and very probably in greater numbers from the urban districts of each state. That the urban states furnished more than their proportion of volunteers is shown by the list of statutory enlistment credits allowed to be deducted from the gross quota of the first draft; also by the figures of voluntary enlistments to December 16, 1917, published in the *First Report* of the provost marshal general, and by the ratio of registrants in military service to the total number classified in all drafts as reported in the provost marshal general's *Final Report.* Exceptions to the rule are Michigan, Illinois, Ohio and Connecticut, urban states which had fewer volunteers and

several rural states which had more than the average proportion of voluntary enlistments.[3]

It is a well-known fact, moreover, that the National Guard, on account of the location of its armories, was mainly composed of urban men, and it is very likely that the easier access to recruiting stations caused city men to enlist in the army or the navy in greater numbers than men from the rural districts.[4] A slight allowance for these factors would bring the physical showing of the cities to a parity with that of the country.

At any rate the physical inferiority of the urban to the rural population of the United States is by no means conclusively established by the figures which the military authorities compiled during the war. These figures leave out of account the very large number of voluntary enlistments, federalized national guardsmen, voluntary enrolments on the inactive list of the navy, and commissioned officers. Were these included it seems highly probable that the showing made by the cities would be much better. There is no conclusive evidence in the draft statistics that urban life is less healthful than rural life or that the average city man's physique is inferior to that of his fellow countryman on the farm.

[3] Oregon, Maine, Utah, Wyoming, Vermont, Kansas, Idaho, Nebraska, South Dakota, Missouri, Iowa, Wisconsin, and Minnesota.

[4] General Crowder in his volume on *The Spirit of Selective Service* (pp. 166–167) alludes to the fact that voluntary enrolment on the inactive list of the navy kept many thousands of city youth out of the draft in the early summer of 1918 while the rural boys stayed on the farm until drafted. There can be little doubt, moreover, that a very large proportion of the officers, especially in the technical branches of the service, came from the cities.

II. RURAL COMMUNITIES SUFFER MORE FROM PREVENTABLE DISEASES

BY CARL E. McCOMBS, M.D.
National Institute of Public Administration

THE great difficulty in attempting to draw comparisons between the health status of rural and urban dwellers on the basis of statistics alone is that the available statistical data on population, disease and defect cannot be correlated. For example, the report on population of the United States bureau of the census classifies as urban population that residing in cities and other incorporated places having 2,500 inhabitants or more and in towns of that size in Massachusetts, New Hampshire and Rhode Island. The report on mortality statistics of the census bureau, which covers only the "registration area" of the United States or 82.2 of the total estimated population, classifies as city population all that in municipalities of 10,000 or more. All other parts of registration states are considered as rural. The surgeon-general's report on the examination of men at the mobilization camps during the war drew the line between the cities and rural districts as follows: All counties having only one local board were considered rural districts and those having two or more local boards were considered as cities or densely populated counties. In other words, according to this report: "The line

between rural districts and cities in our tables is drawn at about 45,000 inhabitants." It is obvious that any attempt to bring these statistical data into harmony is hopeless. There is indeed, as Mr. Rufus S. Tucker says in his article, "no conclusive evidence in the draft statistics that urban life is less healthful than rural life, or that the average city man's physique is inferior to that of his fellow countryman on the farm."

DISEASE MORE QUICKLY DISCOVERED AND TREATED IN CITIES

There is, however, conclusive evidence from other no less reliable sources, such as the reports on rural hygiene of the United States public health service and the documents of state departments of health throughout the country, that the health status of rural communities is far inferior to that of urban communities in so far as preventable diseases and defects are concerned. This is not to say that rural life is inherently more productive of preventable diseases and defects, but rather that due to lack of adequate organization of rural communities to prevent and correct them in childhood they are more prevalent and more lasting. The surgeon-general's report throws some light on this truth. Even conceding the utter impossibility of making proper comparisons between urban and rural communities as classified in the surgeon-general's statistics, it is at least significant that the prevailing rural defects of recruits were in the main those of a preventable or correctible nature. They were: infectious diseases; tuberculosis, all forms; venereal diseases, except syphilis; benign tumors; arthritis; nearly all nervous diseases; all mental diseases, except alcoholic psychosis; most of the serious diseases of the eyes; most diseases of the nose; respiratory defects, except pleurisy; ankylosis and non-union of fractures. Most of these conditions would have been early detected and more promptly and efficiently treated in an urban community equipped with all modern machinery for health conservation, — an efficiently organized municipal health service; good schools where children are instructed in hygiene and examined frequently for the detection of disease and defect; hospitals and dispensaries where treatment can be provided for all who need it, at public expense, if necessary.

COUNTY HEALTH DEPARTMENTS FOR RURAL AREAS

The question before rural communities to-day is not one of analyzing statistics. There is ample evidence to show that health progress in rural communities has lagged far behind that of our cities and that a greater toll of health and life is being exacted by preventable diseases in the country than in the city. When we say country, we mean, from the point of view of public health administration, cities or other communities of less than 10,000 inhabitants. A city of 10,000 inhabitants or more can afford and ordinarily does afford a reasonably efficient public health organization. Smaller communities cannot afford and do not generally have efficient health organizations. Towns and villages under 10,000 population throughout the United States show less administrative progress in health and otherwise than any other units of government. The solution of the problem of rural health lies in the creation of county health departments which will do for rural districts all that municipal health departments are doing for cities. We need no more evidence than we have to prove the health inefficiency of rural districts and the need for such county

health organization. County health and welfare departments which will do for rural districts what municipal health departments are doing for our cities represent the next important step in public health progress.

RECREATION IN THE NATIONAL FORESTS

BY FRANK A. WAUGH[1]

At market rates charged by theatres, pool rooms, big and little Coney Islands, et cetera, the recreation now harvested annually from our national forests is worth millions of dollars. :: :: :: ::

THE first important fact about recreation in the national forests is its inevitability. It is there. It could not be kept out. It is just as natural and necessary as water running down hill.

Take a map of the United States, or of Canada, or both, with the national forests all plainly marked. See how they cover the high ranges of the Rocky Mountains, the Wasatch, the Sierras, the Coast range, indeed most of the mountains of America. Quite obviously they include much of the highest, wildest and most remote territory within the national boundaries. By the same terms they must include the best hunting and fishing, much of the best mountain climbing, the best opportunities for camping and the most tempting country for adventure. Just to look thus at the map would make any healthy outdoor man or woman wild to pack up his old duffle bag and start for the national forests.

All these forms of outdoor recreation existed long prior to the national forests. First the aborigines hunted and fished there, then the white men came, and the white women, too; and so for centuries before there were any national forests, in a congressional sense, forest recreation flourished. In fact it is one of the inbred characteristics of the true American (or Canadian) to love the free outdoor life. This quality is an inheritance from generations of pioneers. It is a quality which lies deep in American character and will not readily accept denial.

It is pertinent to call up even older precedents. The fact is worth recalling that in ancient Britain, whence came our older ancestors, national forests existed. And in old France and in the yet older Roman state, national forests were ordained. Of course they were called royal hunting forests, meaning plainly that they were established and maintained for purposes of recreation.

A VALUABLE COMMODITY

With all this history in our bones, how could we keep out of the forests? Or why should anyone now, in these latter days, be surprised that forest recreation assumes large proportions? Yet there are still persons who think of such recreation as something quite incidental and hardly worth noticing. Certainly, they say, this is nothing which ought to be provided for in the constitution of national forests or in the plans of management!

However, it is a very easy theorem to demonstrate that the recreation

[1] Contributed at the request of the American Civic Association.

now annually harvested from the national forests is worth millions of dollars. In proving such a proposition we need not appeal to any sentimental values of the noble mountains and whispering pine trees. We have only to compare forest recreation with commercial recreation, millions of dollars worth of which is bought and sold every day in the open market. To play pool, to attend the movies, to go to the opera,—these all cost money. Everybody knows the prices current on these forms of recreation. Take these same prices and apply them to forest recreation (which is surely just as good) and it becomes instantly clear that we are dealing with values which mount into the millions, and that these values are tested by the same standards which we use when we buy recreation for ourselves on Broadway or Main Street.

It now appears that this national zeal for outdoor enjoyments, instead of diminishing as we get farther away from pioneer life, constantly grows. The number of persons seeking recreation in the forests is manifestly and rapidly increasing. The general coming of the touring automobile has had a great influence. The wide advertisement of the national parks has done much; for in general the parks are surrounded by forests, and when the tourist gets started he can't avoid the forests if he wants to.

SOME EXAMPLES

No one who has not been on the ground to see what is happening can have a very adequate notion of the proportions recently attained by recreation uses in the national forests. A brief description of a few characteristic examples may help, however.

Let us take the first example from the San Isabel Forest in Colorado. This territory of 598,912 acres lies on the eastern front of the Rockies facing Pueblo and Canyon City, Colorado. Here we have important industrial and coal-mining populations, for whom outdoor life is especially desirable. So local recreation associations have been formed to assist in the protection and development of the facilities offered, especially of the attractive camp and picnic grounds in Squirrel Creek Canyon and other canyons where precious water runs and good trees grow. Thus with forest play systematically promoted many thousands of persons visit the San Isabel every summer.

And not only the citizens of industrial Pueblo, but the farmers and grocers and preachers from all over Kansas, Oklahoma, and northern Texas. Here they come by thousands, borne by every pattern of flivver ever built. Most of them have tents and bedding on the running boards, with coffee, bread and bacon in the tonneau; and they strike the mountains hard. They fly to the cool camping places, beside the singing water, and there they spread their tents for days and weeks. It is carefully estimated that 10,000 persons annually come to the San Isabel for this sort of thing.

A second type example may be found at Big Bear Lake in the Angeles Forest, east of Los Angeles. Here the Pacific Electric Railroad has built a summer camp for its employes. The camp occupies forest lands under a special lease which gives the campers every privilege they can properly use while still fully protecting the forest in the public interest. To this camp are sent all the railway employes, so far as they desire to go. Arrangements are made for sanitation, for group recreation, for boating, fishing, swimming. The management is such as to bring the cost down to very low figures. The attendance runs to several thousand annually, and the whole enterprise is considered to be a model of its kind.

Mount Hood, one of the most beautiful volcanic peaks in America, lies within the Oregon National Forest. It is so near to Portland, so beautiful, so impelling, so accessible, that many thousands visit it every summer, and even in the winter. The Mazamas, a club of ambitious mountaineers, make one or more ascents to the summit each year, taking up considerable parties. Those who shirk the whole climb may still go up far enough to walk about on the glacier fields; or they may go trout fishing in Iron Creek; or they may spend a week at Cloud Cap Inn at the top of the world. All these things are done. And more besides. There are Y. M. C. A. camps on the slopes of Mt. Hood, and the exceedingly popular public camp ground in Eagle Creek Canyon (about 150,000 persons annually visit this camp alone).

EAST AS WELL AS WEST

For a last example out of thousands which would serve, we may take a broad glance at the White Mountain National Forest in New Hampshire. Here we have the long-famous playground of New England. But 420,000 acres of the wildest and sightliest part of it now belongs to us all in perpetuity as a national forest. Of course the hotels are on private lands, and the Mt. Washington golf links are not in the forest; but the Presidential Range, and Tuckerman Ravine and the Great Gulf and Glen Elis Falls and dozens more of the choicest features of the region are actually part and parcel of the forest. These points of delight are visited annually by summer and winter recreationists to the number of about half a million.

These constitute only a few typical cases. There is not a forest of the 150 existing, nor any section of a forest within the 156,000,000 acres of the forest area, which does not echo annually to the laugh of some recreation seeker.

ADMINISTRATION A PROBLEM

Hereupon emerges the problem of caring for so many guests, friends and stockholders. Indeed there are here a whole series of problems brought forcibly into the calculations of the administrative officers who must protect and perpetuate the national forests. There are problems of trail making, fire protection, camp grounds, fuel supply, water protection, sanitation, policing and many more. These do not appear in the usual programs of forestry practice, but on the national forests they cannot be ignored. At least not now.

Obviously to attend to all these highly necessary matters requires time, brains, labor and money. Camp grounds cannot be policed, water protected from contamination, or safe trails built without involving expenditures under all these captions. In a good many areas the recreationists can be organized to do these things for themselves. In certain forests recreation uses return a revenue. The total amount now collected from this source is approximately $100,000 annually.

Unfortunately our fiscal system requires all such collections to be turned in to the United States treasury in Washington, whence it can never come out again without a congressional appropriation. Of course one might suppose that with recreation to the value of several millions of dollars being already harvested, with a much larger business already in sight, and with $100,000 in cold cash actually coming back to the treasury, congress would be eager to assist with adequate funds. That is one might suppose it if he knew nothing about congress.

CONGRESS PENURIOUS

As a matter of record congress has only very recently recognized this recreation as existing at all and has appropriated the extravagant sum of $10,000 a year to provide for it. This amounts to practically one sixth of one cent for each recreation visitor. This penurious attitude toward recreation is not new nor confined to congress. The same penny-wise policy is notorious in congressional dealings with the national parks. In fact the public at large has never yet recognized that recreation is a necessity of human life, to be counted into every budget, national or personal, just as matter-of-factly as food, clothing or education. And until the ordinary citizens are well soaked in this knowledge we cannot expect congress to hear of it at all.

This broad education of the American masses ought not to come hard considering the fact that the love of outdoor recreation is already a congenital gift of nearly all native-born sons and daughters. All that we require is a changed point of view. Our pioneer ancestors took hunting and fishing as a matter of course. The woods and streams were always open —always had been—always would be. It is only in this latter generation that we have begun to see that only fortunate persons can now go hunting, fishing, camping or canoeing, and that the forests are rapidly disappearing before the Moloch of industrialism. So we are aroused to save the forests, first and nominally in the name of this same industrialism, but latterly, more profoundly and more spiritually to save our heritage of open sky and clean water and invigorating woodland.

It hardly needs to be added that this education of ourselves to a better point of view is not the sole business of the national forests. The lead in this work is probably being taken by the national parks. But the national monuments, the state parks and forests and every free acre of wood or water which still remains, and also every acre of forest that is taken away, and every stream that is polluted, every lake that is despoiled, will teach coming generations that the forests were given for the highest human uses, so that if we would save ourselves we must save and love the forests.

GETTING AND KEEPING GOOD POLICEMEN

(A PRELIMINARY STATEMENT)

BY ARCH MANDEL

Director, Dayton Research Association, Inc.

Detroit's experiment with personality tests in selecting and promoting cops. :: :: :: :: :: :: :: :: :: ::

To the popular mind, a good policeman requires a handsome six feet of frame; and a willingness to work around in the rain and cold; and certain physical courage. The idea that high grade intelligence is necessary for the proficient performance of police service is not generally recognized.

THE POLICEMAN'S DUTIES COMPLEX

To be sure, detailed regulations govern and to some extent guide this semi-military work. But on the beat, the policeman must ordinarily act on his own initiative and solve his problems with little aid from his manual and no advice from his superior officers. He must decide in a moment when to warn and when to arrest. He represents the law of his city, state and nation, and must not allow violators to escape. Yet he must not trespass upon individual rights. The policeman is an information bureau. In certain neighborhoods he is, or should be, judge, counsellor and guide. The officer must be calm and courteous under trying circumstances. While on duty in his uniform he represents the state and the state cannot and does not take offense or use abusive language.

In brief, the really effective policeman must be strong, brave, intelligent, courteous and honest. To men possessing these qualifications cities offer a steady job at a moderate salary, some chance of promotion to more desirable positions, and sometimes a pension. On the whole, it is not an easy job, and with the increase in crimes in which guns are used, the position presents considerable elements of danger.

Under these conditions, how can police departments recruit properly qualified men and, of even greater importance, how can they keep them in the service? In the cities where civil service methods are in use, men with proper physical and character qualifications, who can pass an eighth-grade examination, are selected. Such examination, however, does not actually reveal a candidate's fitness and adaptability for the position. This is particularly true of the policeman's job as it is construed to-day.

The war has given great impetus to the use of mental tests of various kinds for measuring the mental calibre of individuals, but whether or not these tests are measurements of intelligence is beside the point for our purposes. They do indicate the comparative mental abilities or capacities of a group of persons tested.

MENTAL TESTS

In 1921, Superintendent William P. Rutledge of the Detroit police department asked the co-operation of the Detroit Bureau of Governmental Research in developing and applying tests

of some type for the selection and promotion of patrolmen. Accordingly, the Bureau called in Professor L. L. Thurstone, then connected with the department of applied psychology of the Carnegie Institute of Technology, and had him organize a test which was given to 300 patrolmen who had been on the force a year, 50 sergeants, and 25 lieutenants. This test consisted of the Army Alpha, Freyd's picture test, and a personal history. The results of this experimental test had no immediate significance, except as a first step in solving a difficult problem. Superintendent Rutledge, believing that something useful could be developed along this line, has continued and extended such test with the aid of Dr. A. L. Jacoby, the psychiatrist in charge of the psychopathic clinic of the Recorder's Court.

The second experiment included the following tests:

Army alpha.

Pintner non-language group test.

Freyd's picture test, which portrays a collision between a street car and an automobile at a street intersection, and which the men are allowed to study for two minutes, after which it is removed and a list of 42 questions relating to the scene of the accident are asked.

A history of the applicant, secured through personal interview by the psychologists.

A neurological examination by the psychiatrist. This examination was given by Dr. Jacoby.

The use of these tests is in an experimental stage, and their effectiveness is still to be proven. The method employed for judging their value has been to check results obtained in the tests with service rating given the men by their superior officers. In doing this with fifty patrolmen at the close of their probationary period, it was found that those who received high scores in the tests given them as recruits in the training school also received high service ratings, and those who did very poorly in the tests received low ratings. Except for these two extremes, the correlation between service rating and test scores was not significant, except to show the absence of correlation.

Following these two trial tests, the police department adopted the policy of submitting every applicant, subsequent to his passing of the physical examination, to a psychiatric examination. It is hoped in this way to exclude immediately those applicants who are unfit for the job, to have indicated men of unusual abilities and fitness for the work, and possibly to discover in the men special aptitudes for definite lines of work in the department. The coordination with the service ratings will continue.

Whether the burden of proof should be placed upon the tests or upon the service rating is not certain at this point, but it is certain that the application of the latter must be improved greatly before it can serve as a basis for judging the value and accuracy of the psychiatric test. No doubt, continued experimentation will show the need for the development of tests better designed to reveal the qualifications required by policemen.

RATING FOR PROMOTION

So much for measures taken to secure properly qualified men for the service. What is being done to retain them? The salary of $2,160 for patrolmen is comparatively good, and the half-pay pension provision after 25 years of service is another feature designed to make the service attractive. In addition to adequate compensation, it is also necessary to treat men justly, to recognize merit and to reward it and in general to afford an equal opportunity to all for advancement.

To accomplish these ends, the Detroit department has adopted a rating

scheme, by which members of the force are rated periodically by their commanding officers. (This form is displayed so that all may know what they are marked on.) These ratings are turned in to the promotion board, consisting of the superintendent, assistant superintendent and chief inspector, which, after further investigation and study of its own, recommends to the commissioner those eligible for promotion. This plan is in its early stages and its application requires considerable development and perfection. The chief difficulty lies in that each commanding officer marks his men according to his own standards, no two of these being directly comparable. This must be met by training all to evaluate patrolmen according to the standard set up by the department, as expressed by the questions of the rating form. However, already, the use of the rating form is impressing members of the force that merit and not pull is the basis of promotion. To prevent favoritism, commanding officers are held to strict accountability for their ratings, and are led to understand that their ability to rate properly is as much a test of them as it is of the men they mark.

Following is a copy of the rating form used:

1. *Physical Condition* (10)
   - Does he keep in training ("in the pink of condition," or is he fat and lazy?
   - Is he physically alert and aggressive?
2. *Neatness and Bearing* (10)
   - Has he a military bearing?
   - Is he neat and clean in his person and dress?
3. *Intelligence* (10)
   - Does he write clear and complete reports, or is it necessary to interview him in order to get all the facts?
   - Does he understand the meaning of orders easily, or does he require lots of explaining?
   - Does he act with excellent, good, or poor judgment when he has no instructions to guide him?
4. *Discipline* (10)
   - Is he truthful?
   - Is he punctual?
   - Is he respectful to superiors?
   - Does he, in his work, get along well with fellow officers?
5. *Attitude toward his duty* (10)
   - Does he take his work seriously and appreciate its importance?
   - Is he courteous and good natured in the performance of his duties? (Or is he argumentative or grouchy?)
   - Does he keep well posted on current orders and show eagerness to learn?
   - Does he know the laws and ordinances?
6. *General ability* (10)
   - Has he natural ability for police work?
   - Is he a hard worker, or lazy?
   - Is he thorough in his work or careless?
   - Is he reliable in carrying out orders?
7. *Exercise of authority* (10)
   - Does he exercise authority with judgment and due restraint or tend to abuse his power?
   - Does he stand behind his actions or shirk responsibility (pass the buck)?
   - Does he notice and report ordinance violations?
   - Does he keep cool in emergencies?
8. *Preservation of order* (10)
   - Is his beat well looked after?
   - Does he keep his beat in good condition by working with the residents, or "raising hell" with them?
   - Does he handle a crowd good-naturedly, or does he bully and quarrel with it?
   - Is he helpful to the public?
9. *Handling arrests* (10)
   - Does he exercise good judgment in disposing of minor cases?
   - Does he make unwarranted arrests?
   - Does he note and follow up suspicious characters?
   - Has he ability to handle trouble-makers and fighters?
10. *Getting and presenting evidence in court* (10)
    - Does he preserve evidence?
    - Is he familiar with court procedure?
    - Can he prepare a case for court?
    - Does he present proper evidence clearly?

The following is the rating form turned in by commanding officers to the promotion board:

FORM NO. 1

DETROIT POLICE DEPARTMENT

Service Rating—Covering Period from ..... to .....

....
Name Rank

....
Badge No. Kind of Duty Precinct

(Mark on scale of 10; excellent, 10; good, 8; fairly good, 6; poor, 4; very poor, 2.)

I. Appearance:	1. Physical condition	(10) .....
	2. Neatness and bearing	(10) .....
II. Intelligence:	3. Intelligence	(10) .....
III. Discipline:	4. Discipline	(10) .....
	5. Attitude toward his duty	(10) .....
IV. Efficiency:	6. General ability	(10) .....
	7. Exercise of authority	(10) .....
	8. Preservation of order	(10) .....
	9. Handling arrests	(10) .....
	10. Getting and presenting evidence in court	(10) .....
	(Maximum 100)	_____

Would you give this man an important independent assignment where he would have to rely on his own judgment in unusual circumstances? (Answer "yes" or "no.") .....

Have you given him any such assignments? (Answer "yes" or "no." If "yes," explain on back.) .....

Has this man done any unusual work which you believe should be placed on his record, either good or bad? (Answer "yes" or "no." If "yes bad" or "yes good," explain on back.) .....

Signed by: .....

Rank: .....

THE ADMINISTRATION OF THE FEDERAL RECLASSIFICATION LAW

BY ROBERT MOSES
Secretary, The New York State Association

THE so-called Sterling-Lehlbach bill reclassifying the federal employees was approved by congress in the last days of the session and signed by the president. The passage of this bill represents the culmination of a number of years' effort to bring about an improvement in personnel conditions in the federal service. The measure in its final form was in the nature of a compromise which aimed to reconcile all of the different proposals and points of view as to the preparation and administration of standard salaries and grades. The Federation of Federal Employees was largely responsible for the passage of the law.

The bureau of efficiency has, for some time, insisted upon a classification, administered by the bureau and based merely on overlapping salary grades. The civil service commission desired a functional classification based upon duties, under civil service supervision. Other groups interested in the federal budget system have urged that salary and wage control is an important part of budget control and that the bureau of the budget should administer the new classification and should recommend changes based upon its studies of the organizations of departments. The bureau of efficiency was supported by the chairman of the senate finance committee. The civil service commission had its supporters among reformers and among federal employees. The bureau of the budget, while not itself active, had many proponents. The final bill was drafted so that it provides a classification based upon duties, the overlapping salary ranges proposed by the bureau of efficiency, and administration of the new system by a board of three, including representatives of the bureau of the budget, bureau of efficiency and the civil service commission.

A COMPROMISE MEASURE

The Sterling-Lehlbach law, as already indicated, is a compromise measure. That is a truism. Everybody knows that it is. Everybody has had a hand in it, and in the end the three principal factions and points of view have been represented in the final draft.

It may be gratuitous to harp on this matter, but it is worth while to keep in mind what we are driving at, and that what we are getting is an imperfect instrument from any point of view, though it may be the best instrument we can get at the time.

Let us examine some of the most obvious results of this compromise.

In the first place, the descriptions of the duties of the different positions, or rather grades, upon which this whole classification depends are manifestly imperfect. I say "manifestly" because even a layman can read them and see that there is careless phraseology, there are indefinite phrases and, in one or two cases, repetitions in totally different grades. This is the result of submitting accurate definitions to amendment by careless and hostile people.

Then, there is another compromise in this law which has not proved successful in my experience. That is the arrangement of overlapping grades, a system under which instead of having each grade clearly differentiated from the next higher grade by having a totally different and higher range of salary and higher grade, you have overlapping salary ranges. This is done on the theory that sometimes an employee, a particularly efficient, plodding employee in a lower grade, is worth as much or more than an employee in a higher grade who is new at the job, and while more clever and ultimately more useful, is not at that time worth as much money. I do not believe that this is a tenable theory. It is a contradiction in terms to call a classification a classification if you have these overlapping grades, and I believe that experience will dictate a change in that respect before very long. However, it is not so serious as it might be, because there is a provision in the law for subdividing grades. This saving clause will make a great difference, but let no one be under any delusion that it is easy to operate. Those who have seen this device work in state governments and municipal governments, will extend their sympathy to the people who are going to operate it in Washington.

TO BE ADMINISTERED BY A BOARD

There is another compromise which I think is unfortunate, and that is that the administration is turned over to a board instead of having it fixed in an individual. All those who have studied or read about reorganizations of government know that the tendency is toward fixing the responsibility, toward unified responsibility, and so far as possible responsibility in a single individual as distinguished from a board. It was General Goethals who, in the brief time he was manager of the Emergency Fleet Corporation, said that all boards are long, narrow, and wooden. We have here a system under which there is not only a board, but a board composed of ex-officio members, who, in the nature of things, must have a great many other things to do in their proper capacity as heads of their departments, and there is no provision for a separate staff other than provision for an assigned staff, and for appeals in case of disagreement to the president.

In other words, we are going to have a great deal of debate, a great deal of dissolving of opinions, a great deal of compromise, where we ought to have executive decision. That is a thing which will surely prove in the end to be unwise, but, of course, it does not stand in the way of making a beginning.

Quite incidentally, this kind of administration is not in keeping with President Harding's general plan of departmental reorganization, or rather with the principles underlying that plan.

In spite of these compromises I think that any fair-minded person, I don't care how expert he is supposed to be, or how much he is involved in the detailed controversies that have led up to the final draft of the Reclassification Law —any such person must agree that its advantages greatly outweigh its defects. It is a step in the right direction. It is a step toward an equitable system of personnel control, toward a system of standard salaries, toward a proper system of advancement and promotion, and as such I think it should be accepted, with something approaching enthusiasm.

A SHORT, GENERAL LAW

After all, the actual administration of this law is the most important thing to consider. There are two ways of carrying into effect any great measure

of this kind, or, I should say, any measure affecting a great many people. It is the old familiar problem that legislatures face, as to whether they are going to put a little clause in the constitution or into general law, leaving the rest to administration and departmental rules and regulations, or whether they will put it all in a very detailed law.

Without going into the merits or demerits of that particular problem so far as this bill is concerned, the fact is that we have a short general law. We have a law that incorporates only certain principles; we have a skeleton classification as distinguished from one with a lot of flesh and bone on it. That is a condition and not a theory. Now the minute we get a condition of that kind, obviously somebody has to provide a very complicated flesh-and-blood machine to make this skeleton work. That is going to be the big problem in this reclassification after the bill passes, that is, the administration of the law.

Of course, this law as a whole and pretty nearly everything in it has to be interpreted. Practically every paragraph, practically every clause, certainly every grade, every salary range, requires interpretation in one way or the other, and the new board of three are going to do the interpreting. Then, we have also the very complicated problem of allocating present employees to their proper grades; and then finally we have the third problem, the measuring of efficiency or setting up some standard of efficiency to govern increases within these grades. The third administrative problem is by far the greatest. The peculiar difficulty in this problem is not only the difficulty inherent in all efficiency schemes, but lies also in the fact that the so-called bureau of efficiency actually has devised a plan known as General Circular Number 6, which has been promulgated with official approval, which is presumably to be made effective and which must somehow be squared with the Reclassification Law.

EFFICIENCY RECORDS

The whole question of efficiency is one that has to be looked at in a common-sense kind of way. Everyone has some bright ideas on the subject of efficiency records. What most of the efficiency sharks need is the responsibility for operating the system. That is a great thing, to get a little of that responsibility. It changes a lot of ideas over night. What they need is a little of the treatment which is administered in political circles in Chicago and New York, where, if there is a contentious fellow with bright ideas in a district political club, the shrewd boss makes him the alderman.

In connection with all efficiency schemes we should bear in mind certain obvious facts. The reason why we have all this classification business and civil service and efficiency records, and all the other mechanical devices for controlling people, is because we have a lot of people to take care of. If we did not have a lot, we would not need these things. If there were only five or six people, it would not be so necessary to have this complicated machinery. Even in a large organization, you eventually get down to a relatively small group in which individuals are actually in competition.

Now, the further you go down the line, the closer you get in distinguishing between one individual and another individual, the more nearly you approach the system you have in a very small community or government, or very small business where you have only five or ten people, and where it is not necessary to keep elaborate records.

There is another fact which we must

keep in mind, and that is the great difference between government business and private business. There are certain incentives in both these kinds of business. There is the incentive of trying to do a good job, trying to do work well. Then there is the desire for promotion, desire for a better title, desire for higher pay. We have all these in both cases. But, in the case of business, in the first place we have much greater possibilities of bigger rewards, and, of course, we have the motive based on profit and loss, which does not exist in government.

Now, somehow or other we must build up in government a system of records and rewards that is a substitute for the profit-and-loss element and the high salaries and rapid promotion that come to a few exceptional people in private employment. I think that everybody will agree that a proper government efficiency system has to have certain requisites. In the first place, it has to be simple. That is the most important thing about it. There are a great number of people to deal with. They have to do certain things in their departments that are more important than keeping efficiency records. You cannot interfere with their ordinary duties in their departments. You cannot put too much of a load on the administrator. As to the research man, research is his regular work. That is the work in which he is really interested and really engaged, and that work is not going to be interfered with by a complicated efficiency-record system. That applies as well to women as it applies to men, and it applies to all departments and to all agencies. The efficiency record is a by-product, not the main output of the departments.

The trouble with most people who devise efficiency records is that they have nothing else to do. The result is that they build up a kind of Frankenstein monster that is liable to eat up the departments. I have seen actual cases where the keeping of these records took far too much time—not daily, but let us say only twice a year for a period of say ten days, and in those two periods no other work could be done. At any rate, so much work had to be done in the departments that the heads and subordinate heads had a complete alibi when they said that no regular business could be transacted while these records were being kept.

Another important thing about a proper efficiency record, I should say the most important thing about it, is that it must not be devised in such a way as to kill the incentives mentioned above. It must not be a hardship on the people who keep it nor on the people for whom it is kept. It must not kill their enthusiasm. It must not dampen their ardor. It must not be a thing that they look upon as a refinement of cruelty. It must not be so complicated and so mathematical that they cannot understand it. These are all obvious principles, and we have seen them at work.

SCHEME OF BUREAU OF EFFICIENCY

Now, measured by these principles, General Circular No. 6 of the bureau of efficiency is hopelessly defective. It is undeniably complicated. It is one of those mathematical schemes that is very hard to understand, and it has one outstanding defect that I think will have to be cured no matter what is done. It shovels all kinds of employees together and measures their efficiency as though they belonged together, when their duties are absolutely dissimilar and cannot be compared. That is an impossible arrangement.

There are two kinds of classifications of employees; one a classification by salaries alone. That is, you say, "we

will have a salary range which we will call 'A.' That runs from $900 to $1,200. We have another one which we will call 'B,' running from $1,200 to $1,500" and so forth. Then you put in "A" all the employees who get between $900 and $1,200, or ought to get between these amounts, and so on through "B" and the higher ranges.

Then, there is a functional classification, based on similarity of duties and work, which needs no further description.

In the Reclassification Law there is a functional classification system. In the official efficiency-record plans there is a salary classification. These two schemes cannot live together. They certainly cannot live together in the same bureau. Of course, since the reclassification bill has become law, automatically something will have to be done about the other scheme. The efficiency plan will have to look different when it comes into contact with the Reclassification Law.

There is another very important consideration in connection with this efficiency scheme. It is to be used not merely for promotion but also for advancements within grades, that is, for increases in salary.

Most of the efficiency record schemes around the country are used merely for promotions. I had an experience a short time ago with the head of one of the largest departments we have in our state government. It is larger than the corresponding department in the federal government in number of employees, and has almost twice the annual appropriation. He reviewed his budget with me and when we got around to personnel, which, of course, took about four-fifths of the time, he began to go over his increases. I said, "Haven't you got the service records?" "We never use those for increases. I haven't got them," he said. "The civil service commission has those, and they use them for promotions when there are any."

That is what efficiency records generally have been used for. And it is because promotions are rare and because the efficiency records are not used very often that so many systems that are obviously defective have a long lease of life. Most of them ought to be dead.

HOW TO HANDLE LOWER GRADES

One of the things that practical people have found out about this increase matter is that in the lower grades, let us say the first two or three grades, in each group, about the best thing you can do, in practice, both for the efficiency of the department and for purposes of central control, is to make the small annual increases as nearly as possible automatic on the attainment of an average grade.

There are a lot of people who say that is throwing away the government's money, and all that kind of thing. It is not. As a matter of fact, it is the best thing you can do, for this reason: You have people entering at a low salary. The theory is that as their experience increases they become more useful. If their work is average, they ought to get this small increase every year or every two years, up to a certain point. If they do exceptionally good work, I think they ought to get double increases. If their work is below standard, they ought not to be allowed to stay, but they usually are allowed to stay, and I expect to see that policy continued. If their work is merely a little below standard, or not sufficiently below so that you can, as governments are run, make any particular criticism, let them stay where they are. You cannot get up a complicated system of efficiency records for the lower grades that will result in any

better arrangement than that provided the records are kept properly. You have your incentive toward getting larger increases, toward people doing their work better. Now, by having seven or eight or nine differentiations for each rating officer to follow, such as there are in the efficiency bureau scheme, we are building up one of these monster systems that result in an immense amount of record keeping.

For instance, take the number of variations proposed above and below the average which is called standard. There is "above average," "below," "sufficient," "insufficient," and so forth. There are too many classifications. When this begins to operate, some of these dark nights some maddened bureau head will meet one or two of those grades with a lead pipe, and that will be the end of the whole system.

In the efficiency bureau circular, the various grades are given a numerical value. That is all right. You have to do that at some point if you have several factors; otherwise, you cannot bring them all together in a final average. But, the minute you start to say as the efficiency bureau scheme does, that where the work is above average it can go from 106 to 115, you have introduced a possibility of variation of judgment, of personal choice that is entirely unworkable in practice. You will find that in the end you have to give that particular thing one value and let it go at that. Otherwise, what will happen will be that one group head or bureau head will say: "This person is above average. I am going to be pretty careful about this average business. I will give him 106 or I will give him 110."

The next person will say: "Above average. That is pretty good work. I will give him 115." That will mean the difference between advancement and no advancement—between promotion and no promotion. And it is impossible for any central agency sitting off in a tower in the city of Washington to bring these two rating powers together. If you can get them to mean the same thing when they say "above average" you have accomplished something. But when they say they mean the same thing and when they give ratings between 106 and 115, that is nonsense. These are very important considerations if this system is going to be used for increases in salaries as well as promotions.

EFFICIENCY RECORDS MUST BE SIMPLE

The whole efficiency-record plan has got to be modified, in the first place, so that it squares with this Reclassification Law, so that it becomes a functional scheme and not the kind of scheme it is now under which you put together all kinds of people and try to compare them.

In the second place it has to be greatly simplified. Finally, we must avoid the whole basic idea in this efficiency-record scheme, which is that promotion will depend upon the average in the particular group. The averages in groups will vary, and the result will be to penalize people very heavily who happen to be in efficient working groups. Where you have a particularly efficient working group, only a few people will be above the average, whereas all of them ought to get increases, and in the inefficient groups the best will be below the standard of the poorer people in the other group.

It may be urged that this central agency will go up and down among the different groups to restore the equilibrium. But that is impossible. It takes too much time. It would take too many people to operate it properly, and you will find the central agency

engaged in a thousand and one fights with the different department heads and subdepartment heads, the result of which would be in most cases that the department heads and subdepartment heads would win. You would set up a competition between departments to get increases. The whole system proposed by the efficiency bureau has to be simplified and revised.

This new classification board with three members has a tremendous responsibility. Under this scheme they are practically going to make over the budget for personnel. They are going to allocate people to their positions; they are practically creating positions, and the conditions under which people will be advanced and promoted. It is a tremendous responsibility. It has been a source of amazement to students that most budget agencies around the country—I don't care whether they are executive agencies or board agencies—have avoided the problem of personnel and concentrated upon the problem of what is called "other than personnel service"—supplies, and so forth.

Why has that been done? Not, generally speaking, because the other problem is the more important. It is because the first problem is such a devilish problem.

That problem has to be attacked, and it ought to be taken up not with the idea of getting the most minute scheme possible, a scheme that is perfect on paper, a highly mathematical scheme with lots of coefficients and factors and all that kind of thing. It has to be started as a very humble system, on the basis of common sense, and in such a way as to improve not only the efficiency but also the spirit of federal personnel.

THE ATTITUDE OF CONGRESS

There is one other problem in connection with the administration of the Reclassification Law which is of the utmost importance, and that is the problem involved in the attitude of congress toward the classification board. This is, of course, part of the larger problem of the attitude of congress toward the executive budget system. When the next budget is prepared and the new salaries and positions have been tentatively fixed by the classification board, will congress accept these designations, or will it make so many changes in detail as to jeopardize the whole reclassification plan? How much lattitude will congress give in the actual appropriation bills to the classification board in controlling salaries and positions currently after the appropriation bill is adopted? Will congress approve the extension of the new classification to the field employees throughout the country as prepared by the classification board? These questions cannot be answered with any certainty at the present time. It seems reasonable, however, to assume that having gone so far congress will go the rest of the way, and that it will not attempt to interfere with the details of the budget as it affects salaries and positions nor with the administration of the appropriation bill after it is adopted. Of course, personalities will play a great part in the working out of this problem. There is a fairly close relation between the president and two members of the classification board; and a very close relation between the chairman of the senate finance committee and the third member of the classification board. There seems to be no particularly close relation between any member of the classification board and the house of representatives excepting through the president. Once the field employees throughout the country are brought into the plan, new

influences and personalities will appear which may completely upset present calculations. The belief of the writer is that eventually the whole reclassification machine as it affects salaries and positions as distinguished from individuals, will be part of the executive budget machinery.

THE BUTTE-SILVER BOW COUNTY CONSOLIDATED CHARTER

A NEW DEAL IN LOCAL GOVERNMENT

BY A. R. HATTON

This charter, drafted by Dr. Hatton, has passed the legislature and now awaits acceptance by the people at the polls. A copy of it will be sent on request. :: :: :: :: :: :: :: :: ::

THERE is a glib and well-received saying that he who causes two blades of grass to grow where one grew before is a public benefactor. And, if allowance be made for those of us who are so hypercritical as to insist that this depends on the kind of grass, the place where grown and whether more grass is needed, the saying can be accepted as a sort of working principle. Unfortunately most people overlook the fact that the person who could cause one blade of grass to do the work formerly done by two, thus making it necessary to raise only half as much grass and releasing grass-growing soil for other useful production, would be a benefactor of such magnitude as to put the mere doubler of grass production entirely in the shade. This is only to say that there are times when subtraction and division are more important to the human race than addition and multiplication.

ONE GOVERNMENT WHERE TWO GREW BEFORE

But if grass growers are deserving of such a high order of merit, what is to be said for those persons who cause one local government to grow where several grew before on our overcrowded political soil? It has been found easy enough in America to make two jobs or governments grow where one grew before. Only recently have we been attempting the reverse and that we find is a different story. Really, doubling the production of grass or doubling its working power is child's play compared, for instance, with the government eliminating job of city-county consolidation. That operation is not merely a matter of getting rid of one government and leaving the other to do the work. It is likely to involve clearing the ground of all old governmental growths and planting a single specimen of a new variety. That is what causes the trouble.

An end can be put to a city government without raising much of an outcry, for we have become accustomed to seeing city governments abolished, changed and transformed. But the moment it is suggested that a county government be abolished, or that it merge its identity with a new organization, county officeholders, politicians and other beneficiaries of the county

obscurities raise their voices and chant in unison,

> Woodman spare that tree,
> Touch not a single bough.

If they would but complete the lines in some such form as,

> It long has sheltered me
> And I'll protect it now,

the frankness of the confession would go far to excuse their opposition.

DIFFICULTY COMES FROM COUNTY SIDE

In other words, the difficulty of city-county consolidation, political and otherwise, comes largely from the county side. A city government can usually be plucked up or cut down without running into serious constitutional obstacles. The reverse is true of county governments. In most of the states the roots of county government are imbedded in the legal granite of the state constitution and can only be removed by blasting them out with a constitutional amendment. Then the fact that the county is commonly the most important local unit of party organization, and county government the chief party organization stronghold, assures strenuous party resistance to any change likely to cause even temporary inconvenience to the party managers. There are also serious difficulties of a purely legal and technical character owing to the place occupied by the county in the state system. In most states it will be found that the county has a very narrow sphere of local autonomy. For the most part it is an agency of the state government, and the laws of the states are full of mandatory provisions laying duties upon specific county officers. Obviously these duties cannot be ignored in the preparation of consolidation legislation. The county government as it formerly existed may disappear, but the work of the state normally performed by the county must go on.

The foregoing observations are provoked by rather close contact with the recent interesting movement for city-county consolidation in Montana. This movement had its greatest impetus from the unusual situation in Silver Bow County, which contains Butte, the largest city in the state. It was greatly aided by Governor Dixon's interest in improved county government and by the overdevelopment of local governmental machinery in a sparsely populated state where the recent depression has caused taxation to be keenly felt. There also seems to be in Montana an unusual amount of keen, level-headed and untrammeled thinking on questions of local government.

SILVER BOW COUNTY

The situation in Silver Bow county is unique. Territorially the county is the smallest in the state, though not small judged by eastern standards. Two thirds of the total population of a little over 60,000 live within the corporate limits of Butte, while 95 per cent of the population is within a radius of three miles and 97½ per cent within a radius of five miles of the center of that city. Aside from Butte there is only one other incorporated community and that is suburban to Butte. Thus there are two principal governments performing practically the same functions, operating over essentially the same area and, in the main, paid for by the same taxpayers. Add to these things the low efficiency of both the city and county governments and the picture is complete.

For some time the city government of Butte has been beyond its constitutional debt limit. There is practically nothing tangible to show for this debt, it having been incurred largely for

operating expenses by the simple expedient of issuing warrants on the treasury in excess of income and appropriations. If money to pay the warrants was not available they were registered and forthwith became legal and negotiable obligations of the city bearing interest at 6 per cent. A little more than a year ago the credit of the city had sunk so low that these warrants would only command from sixty-five to seventy cents on the dollar. The county government has been, and is, legally in a somewhat better financial condition, but it has been spending money far beyond services rendered and its work overlaps that of the city at many points.

THE AMENDMENT

An amendment to the state constitution authorizing consolidation legislation was proposed by the legislature of 1921 and ratified by the voters in November of 1922. This amendment reads as follows:

> The Legislative Assembly may, by general or special law, provide any plan, kind, manner or form of municipal government for counties, or counties and cities and towns, or cities and towns, and whenever deemed necessary or advisable, may abolish city or town government and unite, consolidate or merge cities and towns and county under one municipal government, and any limitations in this constitution notwithstanding, may designate the name, fix and prescribe the number, designation, terms, qualifications, method of appointment, election or removal of the officers thereof, define their duties and fix penalties for the violation thereof, and fix and define boundaries of the territory so governed, and may provide for the discontinuance of such form of government when deemed advisable; provided, however, that no form of government permitted in this section shall be adopted or discontinued until after it is submitted to the qualified electors in the territory affected and by them approved.

The brevity and comprehensiveness of this amendment make it almost a model for those states where constitutional home rule for cities has not been granted. After its adoption, however, one possible defect was discovered. In drafting the amendment it was assumed that all officers, other than judges, elected on a county basis were county officers in a constitutional sense. In Montana, however, the constitution does not name the county attorney and clerk of the district court among the county officers, though both are elected by the voters of the county. Those offices are provided for in the sections of the constitution relating to the judiciary. There is a practical certainty that the manner of choosing the clerk of the district court cannot be changed or the office otherwise disturbed in any reorganization of county government under the new amendment. There is a possibility that the same rule may be held to apply to the county attorney, at least as to the manner of his choice, his tenure of office and some of his duties, though the exact constitutional status of his office is not so clear. The inability to deal with the clerk of the district court in consolidation legislation is not of great importance in Montana. If it should be held that such legislation cannot affect the manner of choice, tenure and duties of the county attorney, a more serious problem would be presented.

Immediately after the adoption of the amendment last November steps were taken in Silver Bow county to prepare a bill for introduction in the legislature in January. The writer was engaged as consultant and arrived on the scene early in December. Shortly after the middle of November, Frank L. Olson of Minneapolis began a preliminary study of local governmental and political conditions. This study was finished by the end of the first week of December and was of the utmost value in revealing the status of local

affairs, giving accurate definition to the problem of consolidation and furnishing a firm basis for the legislation finally drafted.

In order to keep the proposed legislation in touch with local opinion, a very representative committee of over one hundred members was organized. This committee delegated the detailed preparation of the measure to a smaller executive committee, reserving the right to accept, reject or amend the proposal when completed. This executive committee contained, among others, three lawyers, one of whom is judge of the district court and another a former justice of the state supreme court; two members of the city council, one of whom is a member of the carpenters' union; two additional labor men, and the mayor of the only municipality in the county aside from Butte. The measure prepared was unanimously approved by the executive committee and after full discussion, also received the unanimous vote of the committee of one hundred. When presented to the legislature it was passed by large majorities in both houses without a single amendment.

The constitutional amendment made possible either special acts for specific cities and counties or a general optional act available for any county in the state. After long discussion it was decided that the legislation drafted in Butte should be in the form of a special act for Silver Bow county. The reason for this decision was the fear that a proposed act of general availability would meet greater opposition in the legislature from members representing other counties and be more likely of amendment in such manner as to make it unsatisfactory to the citizens of Silver Bow county. It later developed that the Butte committee underestimated the sentiment in the legislature favorable to city-county consolidation. In fact, late in the session, the legislature also passed an optional consolidation act, based largely on the Butte-Silver Bow measure, making consolidation available in any county.

Butte-Silver Bow act pioneer legislation

The Butte-Silver Bow act deserves attention as practically pioneer legislation of its type and because consolidation has been worked out in a more thorough and consistent manner than elsewhere. Under the terms of the constitutional amendment the act can only be put into operation by vote of the electors of Silver Bow county. Such an election will probably be held some time next autumn.

The act provides for merging and consolidating "the separate corporate existence and government of the county of Silver Bow and every city and town therein into one municipal corporation and government under the corporate name 'City and County of Butte.'" To this new corporation is given all the powers that "now are or hereafter may be conferred on cities, towns and counties" by the laws of Montana. A broader and more general grant of powers would have been incorporated but for the fear of arousing antagonism in the state legislature. It was thought wise to be able to say to the legislature that no new powers of government were conferred.

The form of government provided for the consolidated area is of the most advanced commission-manager type. Aside from the omission of proportional representation as a method of choosing the commission, there is no city charter providing the manager plan that can stand detailed comparison with this proposal. The omission of proportional representation was due largely to doubt as to its constitutionality in Montana.

The act lodges legislative and executive power in a commission of seven members, elected from the county at large for terms of two years. The terms of all members of the commission expire at the same time. Nomination is by petition and a double election system is provided. Candidates receiving a majority of the votes cast at a first election are declared elected and a second election, if necessary, is held only as to the places remaining to be filled. The act provides for the initiative and referendum, and for the recall of members of the commission. The commission is authorized to fix the salaries of its members at not to exceed six hundred dollars per year, but may provide for paying the president of the commission 20 per cent in addition.

COMMISSION APPOINTS THE MANAGER

The commission is required to appoint a manager who may be removed by the commission with the usual safeguard that he must be given a written statement of reasons and a public hearing if he so demands. The manager is authorized to appoint all officers and employes in the administrative service "except as he may authorize the head of a department or office responsible to him to appoint subordinates in such department or office." All appointments are without definite term unless for temporary service not to exceed six months.

What might be called formal civil service provisions are conspicuous by their absence from the act. No provision is made for preliminary tests or examinations, though the manager could establish them should he desire to do so. Every officer and employe of the municipality, from the manager down, is subject to the same procedure as to removal, lay-off, or suspension from office. The manager may be removed by the council, but may require a written statement of reasons and a public hearing before the removal becomes effective. Similarly "any officer or employe of the municipality appointed by the manager, or upon his authorization, may be laid off, suspended or removed from office or employment either by the manager or the officer by whom appointed." Any person so laid off, suspended or removed, even the humblest employe, may demand a written statement of reasons and the right to be heard before the manager before the action becomes effective.

The act proceeds upon the assumption that, under the manager plan, provisions to protect the service against partisan appointments are unnecessary and that, with a population of only sixty thousand to be served, the number of appointments to be made will not be sufficient to require a special personnel and recruiting agency. However, there are strong provisions against the soliciting of political contributions from or by any person holding an appointive office or place in the municipal government, and all such persons are protected against and cut off from all objectionable political activity. It is provided that the compensation of officers and employes in the administrative service shall be fixed by ordinance but that all such positions, except those of heads of departments and heads of offices not included within regular departments must, for purposes of compensation, be graded and classified by the manager according to duties and responsibilities. The commission is required to "establish a schedule of compensation for positions so graded and classified which shall prescribe uniform compensation for like service as determined by the grading and classification of the manager."

POLICE DEPARTMENT SUPPLANTS SHERIFF

The act establishes departments of law, finance, police, public works, health and fire. Other departments and offices may be established by ordinance. It will be noticed that, in providing for so many departments in the organic law of the municipality, the act appears to depart from the generally sound principle that, with a few exceptions, the organization of administrative departments should be by ordinance. This is one of the instances, however, in which the position of the county as an agency of state government is of controlling importance. With the multitude of mandatory duties laid upon specified county officers by the general laws of the state, confusion and uncertainty in the local exercise of state functions could only be avoided by devolving these duties upon specific officers provided for by the consolidation act itself. For instance, the act provides that in addition to certain duties prescribed therein the director of finance "shall have all powers and perform all duties imposed upon county clerks, recorders and auditors by general law." As to the police department it is provided that the director "shall have the powers and perform the duties provided for sheriffs" by the laws of the state and that officers and patrolmen subordinate to the director "shall have the powers and perform the duties conferred on and required of deputy sheriffs." These illustrations will suffice to indicate the reason for the establishment of so many departments and the manner in which provision is made for the continued performance of duties laid upon county officers by general law.

Although it was thought necessary to provide in the act for the departments mentioned, the way is left open for placing the same person at the head of two or more departments or offices by the following language: "If the manager so recommend, and the commission so authorize, the manager may appoint one person to act, or may himself act, as the head of two or more departments or offices; but the department of law shall not thus be joined with any other department, nor shall the manager be authorized to act as head of the department of finance or of any office therein other than that of purchasing agent or assessor."

FINANCIAL CONTROL

The financial provisions of the act are of particular interest and importance. The chaotic condition into which local finance had fallen in Silver Bow county caused the committee to devote particular attention to these features. The result is a system of financial control and procedure which, taken as a whole, is believed to be superior to any yet embodied in a charter of local government. A department of finance is created containing divisions of audit and accounts, treasury, purchases and supplies, and assessments. An annual budget estimate must be prepared and submitted to the commission by the manager. The act makes a noteworthy attempt to define with accuracy what the budget estimate shall contain as to the amount required to meet the interest and principal of the local debt and to replace any deficiency in the sinking fund. Later provisions leave the commission no option but to appropriate annually the full amount of the estimate for these purposes. All appropriations must be included in the annual appropriation ordinance. While the commission has full power over appropriations except those required to meet the interest and principal of the municipal debt, the form, arrangement and itemi-

zation of the appropriation ordinance are to be determined by the director of finance.

After the passage of the annual appropriation ordinance the director of finance is required to report to the commission the rate of tax levy necessary to produce an amount of revenue which, together with revenue from other sources, will equal the appropriations. The commission is required to make a tax levy at the rate so reported "unless, by amendment of the appropriation ordinance and a reduction of appropriations the levy of a lower rate be made possible"; but no such amendment may reduce the appropriation made to the sinking fund as recommended by the manager. After any such reduction of appropriations the director of finance is required to report the tax levy necessary under the amended ordinance and the commission is forbidden to levy taxes at any other rate than that reported to be required by the director of finance. In other words, it is the aim of the act to make it clear that the only way to reduce taxation is by reduction of expenditures.

A tax limit for general purposes is fixed in the act, but levies for municipal debts are separate from the general levy and upon these there is no limit except as the debt limit fixed in the state constitution automatically sets a limit to the taxation that will ever be necessary for debt purposes.

DEBTS

The debt incurred by any city or other district within the county prior to consolidation is made a charge solely upon the property within the boundaries of any such city or district. The debt limit for counties fixed by the constitution is the limit for the consolidated city and county. An initial funding or refunding of debt existing at the time of consolidation is permitted in order to secure a fairly equal distribution of the burden over the next twenty years. After this initial funding or refunding all obligations of the municipality must be paid as they mature without refunding. The language of the act in this respect is worth noting:

> Any debt of the county, or any district thereof outstanding at the beginning of the first fiscal year after the adoption of this act by the electors of the county may be funded, or refunded, by the issuance of bonds for such period, or periods, not exceeding twenty years as the commission may authorize, and thereafter the debt so funded or refunded, and any debt subsequently incurred, shall be paid as it becomes due without refunding.

SCHOOLS

The school governments of the city of Butte and of the county were left undisturbed except for the provision that the county superintendent of schools, formerly elected, shall be appointed by the commission. The way is also left open for a certain measure of school unification by the provision that "the superintendent of schools for any district within the municipality may, with the consent of the trustees of such district, be appointed to serve as municipal superintendent." The omission of other provisions as to schools was due to the fear that to provide for complete school unification might be held to introduce a second subject into the act and thus run counter to the provision of the state constitution that each act of the legislature shall be confined to one subject. No doubt, if consolidation is otherwise affected, steps will later be taken to secure an act which will permit the organization of the schools within the municipality under a single school government.

Altogether the act is notable for its

brevity, comprehensiveness, the simplicity of the system of government which it provides, the popular control assured and the completeness of its financial provisions. These results could be accomplished because, to repeat a figure previously used, the ground was cleared of all old governmental growths and a single specimen of a new variety planted in their place. There can be no doubt that this act offers to the people of Silver Bow county a government of exceptional power, flexibility and responsibility. If it should be accepted by the voters the "City and County of Butte" is likely to become a model to be widely copied throughout the United States.

DEPARTMENT OF PUBLICATIONS

I. RECENT BOOKS REVIEWED

TOLEDO'S NON-PARTISAN MOVEMENT. By Wendell F. Johnson. Toledo, Ohio: H. J. Chittenden Co., 1922.

Mr. Johnson's study treats historically and analytically the experience of a representative American city with an electoral mechanism which is becoming of increasing significance in this country, and which may even now merit the dignified appellation of "an American political institution." Since the introduction of the non-partisan idea in 1899 by "Golden Rule Jones," it has passed through several stages of adaptation to the changing circumstances of Toledo's political life. Jones emphatically refused to head a non-partisan "ticket" because he feared that "if he or any other man should make an organized attempt to elect a complete ticket, the organization would soon become a political party with the same methods, the same motives and the same disastrous results." But after his death in 1904, while serving his fourth term as mayor, the party idea triumphed with the organization of the Independent Voters, who, with Brand Whitlock heading their slate, defeated the Republicans in each of the four elections from 1905 to 1913. The adoption of a charter providing for non-partisan municipal elections ushered in the third phase of the non-partisan movement. The elections of 1915, 1917, and 1919 disillusioned those who had expected the old parties to disappear under the new plan. The candidates nominated were generally known to the voters to represent the Independents, Democrats, Socialists, or Republicans. And in the 1921 election the Republicans openly announced a ticket and conducted a campaign with a total disregard of the principles of the non-partisan plan.

Mr. Johnson is an optimist in feeling that though the people of Toledo elected most of the avowedly Republican candidates in 1921, they still believe in the principle of non-partisanship. Perhaps his faith springs from the formation of a non-partisan league to oppose the reintroduction of party politics which the 1921 administration began to effect, and from the fact that the Toledoans have been subjected to a long process of education in the field of non-partisanship. Mr. Johnson lists as the accomplishments of the non-partisan movement (1) a manifestation of greater public interest in civic affairs, (2) more intelligent voting, and (3) less application of the "spoils system." It would be less difficult to accept these as positive achievements if the 1921 election and its consequences did not obtrude themselves into the picture. This election may have been a mere temporary aberration. But in view of the defects of the non-partisan system in Toledo, (1) the impossibility of preventing participation in the city elections of the local national party organizations, (2) the difficulty of getting desirable men to run for office, and (3) the futility of running without organization support. The next phase in Toledo's municipal history, as interestingly narrated by Mr. Johnson, may be the formation of a municipal party which will undertake the burden of correcting the existing defects, and of perpetuating the non-partisan movement. The experience of other cities, notably of Boston, reinforce the opinion which Mr. Johnson, with the reserve that characterizes his whole study, hesitatingly suggests.

DAVID STOFFER.

COMMUNITY AND GOVERNMENT. By Harold W. Odum. Chapel Hill, N. C.: University of North Carolina.

The remark is frequently heard that the University of North Carolina is taking first place among the educational institutions of the South. If the critic is asked the ground for his judgment he does not generally enlarge upon achievements along the more standardized academic lines. He is more likely to speak of the stimulation given by the University to public education, to social work, and to general information. He seems to think of the University as a center from which is emanating a scholarly and cultural influence which is being felt throughout the state. He does not think of the older insular institutions, where much of the learning was kept securely locked up in the books behind closed library doors; but of an organ of public service, a light set on a hill enlightening the world.

Among the other activities, the University is

exerting itself to give currency to true political ideas and to stimulate a study of the relation between the good citizen and the government under which he lives. *Community and Government*, the author tells us in his sub-title is "a manual of discussion and study of the newer ideals of citizenship," and it is a sort of later edition of an earlier *Constructive Ventures in Government*, which laid a good deal of emphasis on the part of women in politics and public life under the obligations imposed by their new duties to vote and hold office. *Community and Government* was prepared to aid the teachers and others interested in education in North Carolina to give vitality to the teaching of government. There is little doubt that it will be used by reading circles and study groups among people who are not attending any formal classes in educational institutions.

The work is divided into six parts. The first defines the community in its larger meaning and introduces women to their duties as citizens; the second is a study of the town and city; the third, of the county, village, and open countryside; the fourth, of public service of the state; the fifth, of the national organization with some discussion of Americanization; and the sixth presents a bibliography with some plans for study.

One thinks of the woman's club or the reading circle asking its program committee whether it is not time to undertake the careful study of political relations; and being told that it is difficult to secure material which is not meant either for the elementary and ignorant person or else for the college student. When one says "meant for college students" in this connection one is likely to have in mind a long, painful, deadening account of the details of political organization,—an account which makes it practically impossible for the average reader to see what it is all about. Now, the program committee may write to the state university in North Carolina and secure for a nominal cost suggestions for study that are about on the level of a first class newspaper editorial, organized logically for a continuous study extending over several months. The bibliography would be improved by the addition of a few biographies of such statesmen as Roosevelt,—his own autobiography,—and a few interesting current magazine discussions. The reviewer must find a little fault; there is no doubt that in future editions of this new departure this small gap will be closed.

EDGAR DAWSON.

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THE DIRECT PRIMARY. By O. C. Hormell. Brunswick, Maine: Bowdoin College Bulletin, 1922.

Although one half of the bulletin is devoted to a general discussion of the subject in which the views of political scientists, party leaders and prominent newspapers play an important part, the meat of the pamphlet is a discussion of the situation in Maine.

The direct primary there is on trial for its life upon eight charges. It is not hard for Professor Hormell to disprove statistically the charge that the city is favored at the expense of the country, nor the statement that the system breeds a plethora of candidates. Even more striking is the fact that in the campaign of 1922 over 94 per cent of the candidates were majority and not plurality designees. Despite the oft reiterated charge that the direct primary makes for party discord and disintegration a study of the newspapers shows more political feuds from 1900 to 1912 than subsequently. The charges that the quality of the officers chosen has deteriorated, and that the expense of running for office has considerably increased receive keen analysis. The fact that the cost of the direct primary system is less than three cents per capita disproves the charge that the cost is excessive. It is to be regretted that further statistics were not available in the comparison of popular interest in the two systems.

A series of analyses of the nature of this pamphlet would furnish the student of politics a basis upon which to discuss the direct primary.

S. C. WALLACE.

II. CURRENT REPORTS

The "Deconsolidation" of the City and County of Philadelphia.—"The preceding chapters indicate that city-county relations in Philadelphia are legally approaching a state of utter confusion, if they have not already arrived at that state. There is no certainty as to what laws regulate the county or as to how they regulate it. City-county relations are not clearly defined by law, and the prohibition against local and special legislation makes it difficult if not impossible to

define them clearly by law, unless a repeal of the act of consolidation is desired. Scarcely a statute is passed for counties generally, or for Philadelphia particularly, which does not create a host of doubts and inconsistencies in Philadelphia, and call for construction by the courts. The result is that city-county relations are based chiefly on judicial interpretation of statutory and constitutional provisions, on implication piled upon implication. Amid the confusion, however, there is one thing that is clearly discernable, a tendency toward the abrogation of the consolidation won by Philadelphia in 1854, a tendency toward the establishment of separate and independent governments for the city and county."

The foregoing quotation from the interesting brochure recently published by the Philadelphia Bureau of Municipal Research on the legal relations of the city and county of Philadelphia suggests that the famous consolidation of 1854 is being slowly undone. However, as one reads the Bureau's analysis of the act of consolidation of 1854, he is somewhat disposed to marvel that the process of "deconsolidation" has not been more rapid and complete. Patently ambiguous in certain vital respects, retaining most of the customary county offices, and leaving unanswered the question of whether the city and county were to be regarded thenceforth as a single body corporate or as distinct corporate entities functioning in part through common agencies, the act of 1854 can scarcely be said to have effected an absolute and unequivocal consolidation in the first place. And one cannot help having a certain mild sympathy for the courts whose duty it has been to apply such a legal instrument. The lesson of the Philadelphia experience ought not to be overlooked in communities where halfway measures of consolidation have been or are being advanced.

CHESTER C. MAXEY.

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A Bureau of Federal Statistics Proposed.—The proposal has been put forward that the present bureau of the census be reorganized, enlarged and renamed the bureau of federal statistics to handle all non-administrative statistics of the federal government. This plan is outlined in a report of the United States bureau of efficiency submitted to congress under date of September 7, 1922 and is the result of an investigation authorized in congressional acts approved March 1, 1919 and November 4, 1920. The report enumerates the statistical work of each department and branch of the government that issues this type of information. It makes no attempt to evaluate the quality, or to pass judgment on the technical aspects, of the statistics. It rather describes these activities with the view to point out duplication of product and to see wherein the collection, compilation and publication of these data could be improved with consequent economy to the government and convenience to establishments using this service.

At present 44 branches of the government contribute statistical data to 27 different subjects. The proposed bureau of federal statistics would have 11 divisions each of which would handle inquiries into fields with more or less related subject matter. The report submits 33 recommendations in all which contemplate, in addition to the reorganization of the bureau of the census, the transfer of a large number of statistical inquiries to the reorganized bureau; the transfer of all vital statistical inquiries from the bureau of the census to the public health service; the distribution of all statistical publications of the government on a sale basis; and the collection and publication of co-ordinated statistics relating to our internal commerce. It also recommends the discontinuance of certain statistical work.

Several advantages may be pointed out for the centralization of such activities. It would provide a corps of specialists trained to perform this technical service; it would co-ordinate and standardize the collection of data; it would correlate information in the various fields covered; and would provide a central agency fully equipped with modern devices to cope with the colossal task of reducing statistical data to usable form. This agency could also furnish this tabulating service to all departments of the government. The plan, further, would serve to abate the burden on private establishments in furnishing information to federal agencies and would also be a convenience to private agencies seeking statistical facts. Applications would be made to one bureau instead of to several departments as under the present arrangement.

These advantages are particularly applicable to information, the collection and use of which is a routine procedure. Once the sources of information have been established, the problem of assembling such data is one of improving the technique and procedure of collection.

The same considerations cannot be said to apply to the statistical inquiries of governmental

agencies coming under the head of scientific research. Studies of this sort are into fields in which the investigator must be trained not so much in collection procedure as in the technical aspects of the specific subject. Such investigations, further, are usually individual projects continued for specific and limited periods of time. Such activities can well be left under the authority of agencies competent not only to gather the data, but to analyze and to interpret it as well.

EDWARD M. MARTIN.

State Aid to Private Charitable Institutions in Pennsylvania.—The problem of state administrative control of the activities of private charitable institutions receiving state aid has always been a particularly troublesome one and perhaps nowhere more so than in Pennsylvania. During the past fifty years or more a large number of these private institutions have been established and maintained largely through state aid, and as a result many of them have come to look upon such aid as an inherent and inalienable right with little accompanying obligation. Attempts on the part of the state to interfere with a time-hallowed policy or better, lack of policy, with respect to the service of private institutions receiving such subsidies have almost invariably met with a prompt reaction from the institutions concerned and their citizen supporters. Legislators generally have avoided the issue of limiting, directing or otherwise controlling the amounts and use of state funds by these institutions because they feared that such action on their part might result in retribution at the hands of the powerful private institutional interests of the state.

In a *Survey of the Fiscal Policies of the State Subsidies to Private Charitable Institutions by the Commonwealth of Pennsylvania*, recently made by Kenneth L. M. Pray, director of the Pennsylvania School of Social and Health Work, which has just now been issued as a part of the *Report of the Citizens' Committee on the Finances of Pennsylvania to the Honorable Gifford Pinchot*, Mr. Pray presents an analysis of the very problems of state subsidies which is worthy of the most careful study. According to this report, state subsidies to private charitable institutions in Pennsylvania have increased twelve times in the past fifty years, while the population of the state has only doubled and its revenues have increased only about eight times. The reasons for this are clearly set forth in the report. There has been an absolute lack of a definite policy and fixed purpose on the part of the state with reference to state aid. Legislators have ignored the authoritative recommendations of the state board of charities and corrections (now the department of public welfare) relative to the amounts of subsidy warranted. Legislative committee visits to institutions have been rarely more than mere junkets. Log-rolling tactics on the part of legislators in behalf of institutions within their own districts have been the rule. Neither the auditor nor the governor has been able to limit, direct or control satisfactorily the appropriations made to institutions because of the lump sum method of appropriation which carried no specific obligation as to use by the institution aided.

Summing up the essentials of a proper policy of state appropriation and fiscal control of aid given private charitable institutions, Mr. Pray sets forth the following recommendations which based as they are on sound social and economic principles ought to be embodied in practical form in the administrative code of every state confronted with a similar problem.

"1. The state should definitely decide what kinds of work it will itself support, and should grant aid only to institutions performing those kinds of service.

2. The state should definitely decide under what conditions an individual is properly dependent on the state.

3. The state should confine its aid to amounts which will properly compensate agencies for the care of state wards, and aid should be granted at an equitable and uniform rate to agencies rendering specifically the same service.

4. The state's aid should be granted only to agencies that maintain a reasonable minimum standard of equipment and service. Provision may properly be made for suitable compensation for additional service above this minimum within reasonable bounds.

5. The state's aid should not be so great as to discourage local citizen interest in the development and support of the institution.

6. The state's aid should be available, upon specifically equal terms to all citizens in the same circumstances, no matter where they live.

7. The state's funds entrusted to private agencies should be subject to thoroughgoing control and accounting."

Fortunately the recently created department of public welfare in Pennsylvania has been given

broader powers with respect to supervision and control of private charitable institutions than were enjoyed by its predecessor, the state board of charities and corrections, and it has already begun to exercise certain of these powers with respect to fiscal supervision. The new department will no doubt meet with considerable opposition in its efforts to apply the recommendations of the report just reviewed. The breaking down of long established prejudices and strongly entrenched private institutional influences is not an easy task but it is clear that it must be done if public welfare administration in Pennsylvania is to attain high efficiency. Rigid adherence to the rules laid down in the report is all that is necessary to bring order out of chaos in Pennsylvania or anywhere else. Such rules represent the foundation of an efficient and economic state aid policy, the cornerstone of which is that private institutions shall receive state aid only according as they render an approved, measured and properly evaluated service to the state.

C. E. McCombs, M.D.

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A State Park Plan for New York. The Committee on State Park Plan of the New York State Association has recently published an attractive report outlining a state park plan for New York.

Such a plan as this is inevitable. It is inevitable because the state park has become almost a vital necessity (as in the case of the Palisades Interstate Park) and because, as population increases, more and greater areas for outdoor recreation will be required, and they will become continually rarer and more difficult to acquire. Also, the sentiment for the preservation of wild scenery, forests, animal life and historic sites grows apace, and the state park fulfils all these needs. Such a movement as that for state parks must be organized, and that is what this plan proposes to do.

New York state already has some forty parks of many kinds and sizes, but more are seriously needed. All the important parks need to have their areas and facilities extended to supply the demands upon them. Besides, most of these are east of the meridian of Syracuse, and it is manifest that this largely accidental distribution should be amended by providing more and better developed parks for the western part of the state so that, some day, New York may be said really to have a park system. The beginning of this is the Allegany State Park, a most important project of 65,000 acres on the state line in Cattaraugus county which will serve about 1,700,000 people including Buffalo and Rochester.

The state forest movement is hardly separable from the state park movement; the most real difference seems to be that the state park is mainly for recreation, the state forest for conservation of forests and all that goes with it. But the forests are recreation grounds of great importance. Therefore, this state park plan proposes that the voters of 1923 approve a bond issue of $15,000,000 for state parks and forests allotted as follows: State Forest Preserve, $5,000,000. Palisades Interstate Park, $3,500,000. Allegany State Park, $2,000,000. Niagara State Reservation, $1,000,000. Letchworth Park, $500,000. Finger Lakes Parks, $250,000. Parkway connections between Bronx River Parkway and Bear Mountain, $1,000,000. Roosevelt Memorial Park, $1,000,000. Other parks, including Saratoga Springs, $750,000.

The most important factor in the creation of state parks and forests is the acquisition of land. In the above allotment, the entire appropriation for state forests would go to purchase land as would a great deal of the appropriation for parks.

The report contains voluminous details and discussions of the parks and forests referred to, with many illustrations.

Harold A. Caparn.

ITEMS ON MUNICIPAL ENGINEERING

EDITED BY WILLIAM A. BASSETT

Fire Hazards in Factory Buildings.—Marked need for amending the labor law of New York state in respect to requirements governing fire hazards in factory buildings was disclosed by a limited survey of conditions in certain of those structures in New York city recently conducted under the auspices of the Joint Board of Sanitary Control. The latter body represents the cloak, suit, dress and waist industries and the study made was limited to those factories in which the above industries operate. The survey was directed by Mr. Rudolph P. Miller, former superintendent of buildings of the Borough of Manhattan, who was aided by an unusually competent staff. For that reason the report on conditions observed and the recommendations made are of particular interest and importance. There were 1,168 factory buildings inspected and violations of a more or less serious character were found in about ninety-five per cent of these. Conclusions based on an analysis of the character and distribution of these violations led to the formulation of recommendations for revision of the labor law and suggestions concerning the administration of factory control. Among the more important of these it is desired to call attention to the following.

Conditions reported in the buildings that were examined indicated that the use of old existing buildings for factory purposes has in the past been unduly encouraged. Thus the survey disclosed that in those structures built before 1913 conditions were found to be far less satisfactory than in the newer buildings. The situation with respect to this matter appears to justify recommending that the labor law be so amended as to prohibit the use of a building erected before October 1, 1913, that has not been previously used for factory purposes, for alteration or conversion to the use of a factory unless it is made to comply with the requirements for new buildings.

A striking fact brought out by the investigation of the Joint Board of Sanitary Control was the large number of buildings in which the interior stairways are not inclosed. The value of an enclosure to a stairway as a protection against fire hazard cannot be over-emphasized. In commenting on this situation Mr. Miller expressed the opinion that the present law governing the enclosing of stairways is too limited in that it permits the omission of the stair enclosure under certain conditions in buildings five stories or less in height. In view of the fact that the law was generally revised in 1913 after extended consideration of this matter, among others, he does not suggest at this time any further change in the law. Attention is called, however, to the fact that the law gives ample power to the state industrial commission outside of New York city, and to the board of standards and appeals within the city of New York, to meet this condition by suitable rules and regulations. With this in mind it is recommended that a suggestion be made to these boards urging the revision of the present rules so as to provide some kind of an enclosure for an interior stairway in all factory buildings over one story in height. In the event that such a requirement might work a hardship in individual cases, there is still ample authority on the part of these boards to modify their regulations to meet conditions in particular cases.

The inadequacy of access to the roof, which was found to exist in many of the buildings examined, received particular attention. The Labor Law at present provides that all the stairways that are required exits and which extend to the top story shall be continued to the roof in case there is egress from the roof to an adjoining building. In addition to this requirement the report recommends that a provision be made for access to the roof even when there is no safe egress from that roof to adjoining premises.

The survey disclosed that on many of the older buildings fire escapes were located which, while not conforming to the present requirements governing those constructions, have been permitted to remain with the hope that they might be of service in an emergency. The openings leading to such fire escapes are supposed to be marked: "This is Not an Exit." In the buildings examined in many cases there were no such signs provided, and even when these signs were in evidence, safe egress from such fire escapes was not at all times present. It is obvious that if

such fire escapes are permitted to remain they should at least be kept in safe condition. With this in mind, the report recommends that the following new section be added to the Labor Law:

. . . Existing non-conforming fire escapes. All outside fire escapes which do not conform to the requirements of either section 273 for fire escapes erected after October first, nineteen hundred and thirteen, or section 274 for fire escapes erected before October first, nineteen hundred and thirteen, or section 268 for exterior screened stairways, shall nevertheless be maintained in safe condition, shall be equipped at the lowest balconies with suitable stairs or drop ladders and shall have direct and safe means of egress to a street, or to an approved passageway to a street, or to a yard or court from which egress may be had to a street; or such fire escapes shall be removed entirely. No exit sign shall be placed on any door, window or other opening leading to any such fire escape.

In certain of the buildings examined it was found that fire alarm signal systems were not in suitable condition for operation. It appeared that in such cases these systems had been permitted either to deteriorate or had been deliberately put out of commission because since their original installation the buildings had been equipped with an approved system of automatic sprinklers. This exempted these buildings from maintaining fire alarms.

The report points out that there is grave question as to the wisdom of permitting this exemption. The point is well taken that whether a building is equipped with sprinklers or not, it is desirable that its occupants should be notified promptly of the existence of a fire by an alarm of some kind. With this in mind it is suggested that the labor law be amended by requiring that permission be obtained from the state industrial commission or the local fire commissioner to discontinue the maintenance in complete operative condition of any fire alarm signal system already installed in any factory building.

An important provision of the labor law, which has to a considerable extent become a dead letter, is the requirement respecting the posting of notices specifying the number of persons that may occupy the several floors or spaces within the building. Particularly in those cases where floors are subdivided for various industrial uses is a requirement of this kind necessary in order to safeguard against occupational and other hazards. There appeared to be some indications that the existing provision in the labor law affected in this matter is not sufficiently direct to make it as effective as desired. In order to correct this it is recommended that the present requirement of the law in this matter be amended to read as follows:

In every factory building two stories or over in height there shall (the commission shall cause to) be posted, after approval in the city of New York by the fire commissioner and elsewhere by the industrial commissioner, in a conspicuous place in every stairhall and workroom, notices specifying the number of persons that may occupy each floor thereof in accordance with the provisions of this section(.); and if (If) any floor is occupied by more than one tenant, such notices shall be posted in the space occupied by each tenant, and shall state the number of persons that may occupy such space. An estimate of the number of persons that may occupy each floor and each space, shall be filed by the owner of the building, or by a competent person employed by the owner, with the fire commissioner or industrial commissioner, according to his jurisdiction, in such manner as such commissioner may direct. It shall hereafter be unlawful to conduct any factory in a building or part thereof until such notices duly approved as herein provided, shall have been posted. Every such notice shall bear the date when approved and posted.

An encouraging feature of the report is the statement that the results of the survey indicate that the administrative authorities are making a serious effort to secure compliance with the provisions of the labor law and that the results accomplished are in general satisfactory. Where lapses occur the failure to comply with the law is due generally to the negligence of the owner or tenant on whom the responsibility really rests.

Seriously unsafe conditions were found in a number of instances which apparently were due to the negligence or indifference of the owner or tenant of the building. Conditions of this kind are not always readily discovered by the inspectors and may exist for a considerable time before they are disclosed as a result of inspection. In cases of this kind it is desirable that administrative officials should have authority to employ drastic measures to secure compliance with the law. As a means towards enlarging powers of such officials in this matter the report recommends that the following provision be incorporated in the laws of the state:

In case any violation or failure to comply with any provision of the labor law, in the judgment of the duly authorized administrative officer, renders a building or a part thereof unsafe or dangerous to the lives of the employees of any factory by reason of such violation or failure to comply or by reason of failure to maintain lawful conditions, the fire commissioner in the City of

New York and elsewhere, the industrial commissioner, may, after written notice to the owner, lessee, tenant or other person responsible for said violation or failure to comply and an opportunity to remedy the unsafe condition recited in said written notice within twenty-four hours from the time of service, summarily vacate the building or such parts thereof as are specified as unsafe and dangerous, and having caused such vacancy shall continue the same until the unsafe condition is removed. For such purpose the said commissioners shall have the assistance and cooperation of any police officer or sheriff having jurisdiction over the premises when such unsafe condition exists.

The above recommendations obviously apply to conditions met with in a limited number of buildings located in New York city. At the same time the principles underlying the recommendations have universal application and undoubtedly conditions disclosed there are in evidence in many other communities.

Safeguarding the Use of Highway Bridges.—The inadequacy of many of the existing highway bridges to carry the present heavy motor vehicle traffic using the roads of which these bridges are a part, is forcibly brought to the attention of the public from time to time by the failure of certain of those structures due to overloading. A failure of this kind, which resulted in the loss of from twelve to fifteen lives, occurred on January 3, 1923, at Kelso, Washington. The bridge in question was a timber structure with one 300-ft. suspension span and a 100-ft. double leaf vertically hinged span. The suspension span failed. According to the *Engineering-News-Record*, the bridge was built in 1905 for light loading. It was rebuilt in 1907 after a washout the previous year and partially retimbered during 1915. During the six months preceding the accident it is stated that the traffic using the bridge increased many times over the original normal traffic. The bridge is under the jurisdiction of the county and not subject to state inspection and maintenance. It appears that little if any provision was made by the county for this sort of care.

During the latter part of 1922 an accident of a somewhat similar character took place in Georgia, causing the death of eighteen. In the latter case, however, it was known that the bridge was weak and the structure was posted to that effect. Although these bridges were on unimportant thoroughfares and the loss of life resulting from their failure was unusual the condition which these failures illustrate are by no means extreme. In fact it is not extravagant to state that there are hundreds of bridges to-day, many of these on relatively important highways which are not designed to carry the loads passing over those highways. In Erie county, New York, where a careful survey has been made recently of the condition of all highway bridges, it was found that approximately 45 per cent are unsafe for loads in excess of twelve tons. At the same time certain of these unsafe bridges are on state and county highway routes over which the law permits the operation of motor trucks up to fourteen tons in weight. Also it is a well-known fact that this loading is exceeded in many cases. Comparable conditions undoubtedly exist in the other counties of New York state and in many if not all the other states.

Nor are the cities exempt from the hazard thus created. While the bridges on the more important thoroughfares of the larger cities of the country are generally sufficient in design to carry present traffic loading, this is by no means always the case. In those cities in which there are a considerable number of bridges on less important thoroughfares, so for example in New Orleans, many such structures are designed only for light loading and hence are unsafe for general use. According to the 1921 report of the bureau of highways of the department of public works of Philadelphia, during that year eight bridges in the city were closed to traffic, a careful inspection of these structures having disclosed conditions which made them unsafe for use under heavy loads. In each of these cases a complete reconstruction of the bridge was found to be necessary.

A further element that contributes to the present hazard which applies equally to urban and rural communities is the frequent failure to provide adequately for periodic inspection and continuous maintenance of bridges. It is believed that the importance of the latter is not sufficiently recognized by either government officials or the public. Particularly in the case of steel bridges, the overloading of the bridge by traffic, while not necessarily causing immediate failure, may produce a distortion in the structure readily ascertainable by skilled inspection and possibly admitting of correction without serious difficulty or expense if taken in time, but which if allowed to continue might easily result in the entire collapse of the bridge. Also in the matter of maintenance of steel bridges, the failure to provide for systematic cleaning and painting of the steel work, may produce a weakening of the

bridge members due to corrosive action with disastrous results. It should be borne in mind that the hazard resulting from such conditions is in no sense an academic or imaginary one. The casual inspection recently made of a bridge on a relatively important street in a large southern city disclosed progressive deterioration in one of the main bridge members due to corrosion resulting from lack of maintenance, of such a serious character that when this condition was brought to the attention of the city authorities they not only immediately ordered the bridge in question to be closed to traffic until suitable repairs could be made to it, but also authorized a comprehensive survey of all steel bridges within the city for the purpose of determining their condition with regard to safety for traffic.

The examples cited illustrate a condition and a need demanding the serious attention and appropriate action of public officials. The essentials of the problem involved in meeting this need are substantially as follows: First, the establishment of suitable standards of bridge design and enforcing their use. Outside of cities there is merit in centralizing control over this matter in the state highway departments. Second, providing adequately for the inspection and maintenance of all bridges. This is obviously a matter of local responsibility and administration. Third, the regulation of traffic over all bridges so as to ensure against overloading these structures.

The latter offers in some respects the most difficult problem to solve. The replacing of all old highway bridges by others designed to carry the maximum loading of present-day traffic is not alone out of the question for financial reasons but would be objectionable on sound economic grounds. Bridges on all main highways should be designed to carry the maximum loading permitted on those highways. And obviously the latter should be of the most durable type of construction. It is recognized, however, that the type of road and bridge construction demanded for a main traffic thoroughfare is not economically justified for use on a highway of lesser importance. Common sense should dictate the exclusion of excessive loads from the latter roads. In order to accomplish this all roads should first be classified according to load carrying capacity and definite limits placed on the permissible loading for each class. Two or possibly three classes should be sufficient to meet ordinary requirements in this matter. Such limitations should be incorporated in the highway law. Suitable publicity should be given to any such action as a guide for the routing of traffic and signs showing the loading capacity of both roads and bridges should be placed at appropriate locations. Essential features of any control system of this kind are prompt and effective prosecution of violations and the imposition of adequate penalties. In New York state the wrecking by overloading of a bridge, worth possibly $10,000, carries with it the penalty on conviction of a fine of $25.00. Similar conditions prevail in other states. Both safety to the public and sound economy of its resources demand prompt and decisive action to remedy those conditions.

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Municipalities Co-operate in Sewage Disposal.—Joint action on the part of communities concerned in providing for the construction and operation of municipal sewage disposal works offers a practical solution at a minimum cost for one of the most vexatious problems with which cities are confronted to-day. An interesting example of this character is the proposal to include within the sewage disposal scheme of the city of Philadelphia provision for intercepting and conveying to suitable treatment works the sewage now discharged into Tacony Creek from an area outside of the city, and also make similar arrangements to relieve conditions along the west bank of Cobbs Creek in Delaware county. At present the city does not discharge any sewage into either of these two streams. The city of Philadelphia will of course profit materially from these proposed improvements. The cleansing of Tacony Creek simplifies the problem of protecting the Torresdale water supply while improving the condition of Cobbs Creek will permit the satisfactory development of Cobbs Creek Park not possible under present conditions.

In both of the above cases the necessary financial arrangements will be made by contract between the municipalities interested. Pending future decision as to the layout of facilities for the treatment of sewage from Cobbs Creek drainage area, it is proposed that the city of Philadelphia receive a flat annual rental from Upper Darby township for the use of the city's intercepting sewer. Under the proposed arrangement for collecting and disposing of the sewage from the Tacony Creek project, an annual rental based on the amount of sewage handled will be paid to the city of Philadelphia. There is nothing novel in the idea of co-operative action by municipalities in the construction of trunk sewers. The joint

outlet sewer in New Jersey was built by the voluntary joint effort of eleven separate municipalities. More recently, the Passaic Valley sewer in that state has been constructed through the co-operative action of about twenty-one municipalities. The distribution of cost of the latter project both in respect to the cost of construction and operation of pumping station was made on the basis of the amount of sewage contributed by each community participating in the use of the sewer.

While the examples cited above apply more particularly to the larger cities, it should be noted that the principle involved has equally wide application for smaller communities. According to Dr. Henry Spence of Jersey City, president of the state board of health, opportunity in the matter of sewage disposal is offered the three boroughs of Dumont, Bergenfield and New Milford in the joint use of the Camp Merritt septic tank in New Milford. That tank was erected for temporary purposes during the world war and was not placed there for permanent use, but it is so built as to permit of rigid enlargement that would make it available for joint use by several municipalities.

Obviously, not alone does joint action in providing for the construction of sewage disposal plants reduce materially the financial burden on the small community requiring these facilities, but it has the additional advantage in that it will permit without serious burden providing adequate funds for the operation of such plants. The importance of the latter cannot be overestimated if satisfactory results are to be obtained.

Requirements of Sound Highway Improvement Policy.—Timely suggestions concerning the requirements of a sound economic policy for highway improvement work were presented recently by Mr. William H. Connell in a talk given before the Engineers Club of Philadelphia on the state highway problem of Pennsylvania. Mr. Connell, made during 1922 an administrative and financial survey of the Pennsylvania State Highway Department for the Citizens Committee appointed to study and report to the governor-elect on the finances of the state. Subsequently Mr. Connell was appointed state highway commissioner by Governor Pinchot. Hence his comments and opinions concerning the local problem are of particular interest and importance. One of the points most strongly emphasized by Mr. Connell is the need of a construction policy flexible enough to permit ready modification in the type of pavement construction used to meet the widely varying traffic requirements that exist on different parts of the state system. Certain of his remarks on this subject follow:

"This brings us to the point where a sound economic policy must be determined upon. There are 10,321 miles of roads to consider, virtually all of which are of relative importance—either as main highways or as feeders to the main highways, and the feeders cannot be brushed aside. They must receive due attention, not in the indefinite future, but now. They are, in many instances, of more importance to those compelled to use them than are the main highways to a considerable number of those using them. The state is confronted with a condition, not a theory.

"I am constantly reading in the newspapers and engineering magazines of the cost of the upkeep of highways. How often do you see anything written about the cost per square yard of the investment in the highways, the interest and sinking fund charges? Very often a type of pavement that is not of the very best is cheaper in the long run than the very best type of pavement—when you put it in a place where it will take about twenty years for the traffic to become heavy enough to demand the best type of construction.

"That is the most important point to drive home in this country to-day. If I have learned one big lesson from this survey it is the fact that the average business man is always shouting to construct all pavements of the very best type, absolutely ignoring the fact that the thing to do is to put the economic road down in each particular locality. A business man will not construct a plant twice the present size just because he expects to need the double space in twenty years. He will expand his plant as his needs increase; he will build as he goes along.

"To determine the economic road for each locality, figure out upkeep charges and interest and sinking fund charges (items you cannot get away from), and then determine which is the economical road to build for each locality."

It is not many years ago that such opinions as the above might have been regarded somewhat in the light of heresy. Now they stand out as representing sound judgment with regard to the relative needs of different parts of our various highway systems.

NOTES AND EVENTS

I. GOVERNMENT AND ADMINISTRATION

The Philadelphia Charter has again withstood the usual legislative attack. This time it was in the form of a measure to increase the number of the council from 21 to 26. The bill passed both houses but was vetoed by Governor Pinchot.

❋

Mandatory Appropriations for Planning Commissions.—A bill before the Pennsylvania legislature compels all cities of the third class to appropriate annually at least one twentieth of one mill on each dollar of the city's assessed valuation to the city planning commission for annual operating expenses. The bill will also increase the functions and authority of the planning commissions.

❋

Improvement Comes Slowly.—Six months ago the people of San Francisco adopted an amendment to the charter to provide for centralized purchasing of municipal supplies. At present the city supervisors have not passed the necessary enabling acts to put the amendment into force and seven or eight separate agencies continue to make independent purchases.

❋

Wilmington Charter Lost.—The city-manager charter of Wilmington, Delaware, drafted after a great deal of care, under the technical supervision of Mr. Clarence D. Greene of Dayton, Ohio, was defeated by the legislature.

❋

Two Appointments of New Detroit Mayor.—On the day that Mayor Frank E. Doremus took office he announced the reappointment of Frank H. Croul, a man of recognized ability, as police commissioner; but within a week he asked for the resignation of Henry Steffins, Jr., the most efficient comptroller Detroit ever had, and named in his place William J. Nagel, formerly postmaster under the Wilson administration and, before that, deputy city comptroller. Nagel is a personal friend of the mayor and we regret that he saw fit to discharge Mr. Steffins, who by reason of special training and record in the office was eminently fitted to continue.

Seattle Not to Revise Charter Now.—The proposal to begin at once revision of the charter of Seattle was killed in committee of the council by a recommendation that the petition of the Municipal League for the election of a revision committee be indefinitely postponed. There has been much agitation in Seattle for a city-manager charter and the issue will doubtless be raised again in the near future.

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Los Angeles Municipal Vacation Camps.—C. A. Dykstra of the Los Angeles City Club has promised us an article on Los Angeles vacation camps which have been operated successfully for the past ten years as a municipal undertaking. This year a new vacation site is being secured in the mountains in addition to the two camps already established. A surplus fund of $5,000 from these two provides the initial building fund. The camps allow hundreds of business men and their families to enjoy each year at cost a royal outing that will long be remembered. The camps are in the Sierra national forest and contain some of the most interesting geological phenomena on record. Side trips from the main camps afford keen sport and additional scenic beauties.

Taxpayers and residents of the city may register for vacation trips of one or two weeks.

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Sequel to the Recall in Oregon.—In the REVIEW of last July, Professor J. D. Barnett of Oregon told the story of the recall of two members of the public service commission of that state. The commission had authorized what seemed to be an outrageous increase of telephone rates, following other utility rate increases, and aroused thereby the fierce resentment of many people.

The two commissioners against whom sufficient recall petitions were filed to demand an election, were recalled by a large majority and successors elected who would presumably follow out the edict of the election.

The efforts of the new commission, however, to make a reduction were held up by the courts and at the election last fall one of the two new

members was defeated. Inasmuch as his successor seems to work with the member of the old commission who was not recalled, those who engineered the recall find that they are about where they were in the first place.

The Constitutionality of Tax Exemption Laws for New Building.—The building trades in New York City were thrown into confusion in March by a ruling of a supreme court justice that the law exempting new buildings from taxation for ten years was unconstitutional as being special legislation classifying property for taxation. The court conceded that the legislature has full power to classify property for tax purposes but such classification must be by general law. Because the matter of excluding new building from taxation was left optional with the various localities, the measure was special legislation.

This decision was, however, promptly overruled by the appellate division and now goes to the court of appeals, the final court in New York State. The appellate court held that the classification was reasonable and that the law was not of special but of general application.

A similar law in New Jersey met a worse fate. The same month in which the first New York opinion was handed down the New Jersey court of error and appeals affirmed an earlier decision of the supreme court that New Jersey municipalities must continue to assess new buildings which were to have been exempt for five years under the tax exemption act of 1920. According to the New Jersey court this exemption creates an arbitrary classification of property forbidden by the state constitution.

The New Jersey measure never really went into effect as the New Jersey municipalities continued to tax new building under an opinion given by the attorney general soon after the law was passed.

Administrative Consolidation Advances in New York.—The legislature has passed a constitutional amendment consolidating the 180 bureaus, departments, commissions and officers of the state administrative establishment into an orderly series of twenty departments, headed in most cases by a department head appointed by the governor. As part of the process, three little elective offices disappear from the ballot, namely, the secretary of state, who becomes appointive, the state treasurer, who is merged into the finance department and the state engineer and surveyor, who becomes part of a department of public works. This leaves on the ballot the governor, lieutenant governor, attorney general (a concession to the opposition) and the state comptroller, from whom, however, are taken away numerous administrative functions leaving him simply the auditing powers and a radically reduced patronage. In the past the patronage of these minor offices has been the undisputed bailiwick of political hacks and has been used to nourish the Republican machine for generations.

The present assembly is Republican and the senate is Democratic. Although the short ballot has been a feature of Republican platforms for over ten years, ever since Governor Hughes first put the idea into his messages, and although the Republican constitutional convention submitted a short ballot constitution under the leadership of Elihu Root, Wickersham, Stimson and other important party authorities, the Republicans in the legislature have been hard to whip into line for it when the task came. When Governor Smith was in office three years ago he appointed a commission which surveyed the state administration elaborately and introduced the same plan of consolidation. The Republicans refused to touch it because it was of Democratic origin and put through a hasty but fairly good substitute of their own making. The next year at a nod from Governor Miller, who was rather frankly prejudiced against it, the same Republicans defeated it on second passage and the work had to be begun again this year. The present text is the original unspoiled work of the Reconstruction Commission of three years ago save for the compromise that retains the elective attorney general and some minor details. It will have to be passed again in 1925 and submitted to referendum in November, 1925.

Sundry statutory consolidations consistent with the major scheme have been passed. An executive budget amendment and an amendment making the term of state officers four years instead of two were defeated.

R. S. Childs.

Story of a Legislature.—Classes in civics and even college students of political science could do worse than spend a little time upon two pamphlets issued at Trenton. The capital of New Jersey is not noted as a publishing center, but in this pair of pamphlets it makes an excellent

beginning. The two publications are entitled "Disposition of Bills and Joint Resolutions Delivered to the Governor" and "Veto Messages of George S. Silzer, Governor." The opening page of the first-named pamphlet is a model of comprehensiveness, conciseness, and lucidity. It deserves to be printed entire in textbooks on government as a picture of the actual working of a legislature.

The New Jersey lawmakers were in session this year from January 9 to March 23, a space of eleven weeks. In that period 754 bills were introduced, of which 253 were passed—almost exactly one-third. The governor vetoed 68 bills, which was slightly more than one fourth of the number reaching him. The legislature passed thirty-two bills over the veto. Thus the total number of laws enacted was 205. An interesting detail is that 38 of the bills vetoed originated in the senate, as against 30 in the assembly. This fact will deepen the impression that there is little to choose between state senates and assemblies. The dark side of the story is told in a brief closing paragraph: "During the first eight weeks of the session the total number of bills presented to the governor was 36, 18 from each house, and the remaining 217 bills submitted came in during the closing hours."

Any one who doubts the desirability of the veto power or who thinks that veto messages are necessarily dull reading will be enlightened by running through the veto messages of Governor Silzer. Of one bill he writes: "The bill has absolutely no value unless the money is appropriated in the annual or supplemental appropriation bill. No such appropriation is made . . . and therefore the signing of this bill would be a mere gesture." Not once but several times he returns groups of bills with this comment: "Most of these bills are carelessly drawn, and some of them, if enacted, will destroy their purpose, because they have amended the wrong acts." Of a bill to license persons engaged in electrical contracting he remarks: "This would prevent those thoroughly qualified from engaging in this business unless licensed by the examining board, consisting of those whose main desire would be to keep out competition." The governor of New Jersey has only five days after the adjournment of the legislature in which to consider bills. It looks as if the legislature took even less time to consider some of those it sends to his desk.—*New York Evening Post.*

Proposed Reorganization in Pennsylvania.—Governor Pinchot's administrative code is now before the Pennsylvania legislature. In large measure it is of the orthodox type. It provides for the usual reduction in the number of departments, boards and commissions and for the creation of a balanced and systematized administrative organization. Twelve code departments with chiefs appointed by the governor and the senate are provided. These include departments of state and finance, justice, public instruction, military affairs, agriculture, forests and waters, labor and industry, health, highways, welfare, property and supplies, and commerce. The existing boards of game and fish commissioners and the public service commission are continued as are three interstate commissions for building or maintaining bridges. Three departments headed by elective officers of course remain and complete the administrative scheme as proposed by the code.

A fundamental tenet on which the code is built is the advisability of centralizing administrative and financial control in the governor. The governor is given power to approve the number and compensation of the employees of the code departments. In addition an executive board composed of the governor and four department heads whom he is to designate is created with power to approve the internal organization of the code departments and to determine the number and functions of the divisions and bureaus in each. Power is also granted to the board to standardize salaries and wages. The fact that the powers and duties of the several departments are expressed in vague terms adds to the completeness of the governor's administrative control.

Financial control is likewise broad. An executive budget is provided. The constitution gives the governor power to veto items in appropriation bills. The combination of the item veto power and the executive budget gives the governor large fiscal powers but the code goes a step farther. It provides that appropriations shall not be available for expenditure unless the heads of the code departments, boards and commissions submit periodic expenditure schedules to the governor for his approval. The governor is thus given constant day in and out control over expenditures and is enabled to prevent unwise expenditures or expenditures in excess of income.

It is difficult to imagine a code concentrating greater power and greater responsibility in a state

executive. If the code becomes law in its present form it will furnish an admirable test of the doctrine that good government depends on the centralization of authority and of responsibility in one individual. HARRY A. BARTH.[1]

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State Reorganization Proposed in South Dakota.—A joint committee on administrative reorganization of the 1923 legislature of South Dakota prepared and introduced a bill (Senate Bill No. 306) providing for departmental reorganization. This bill sets up five administrative departments, as follows: finance, industry and labor, public works and highways, agriculture, and education. Each department is to be headed by a single person, called secretary, appointed by and serving at the pleasure of the governor. A striking thing is the provision that the secretaries may be appointed from citizens living without the state. Salaries of $3,600 to $5,000 each are provided for the secretaries.

The department of finance is to be organized under five divisions: auditing and accounts, purchasing and printing, taxation, employment, and rural credits. An executive budget is to be prepared under the supervision of this department. The director of employment, who heads the division of employment, has more extended powers over the employees of the state government than the average state civil service commission. The division of rural credits, the head of which is to be the secretary of the department of finance, is to handle the $50,000,000 rural credits business of the state government.

The department of labor and industry is to have four divisions: banking, insurance, public utilities, and labor relations. The division of public utilities is to have a single head. The department of public works and highways is to be organized into four divisions: division of engineering, bridges, designs and survey, division of equipment and supplies, division of construction and maintenance, and division of state industries and property. Under the last-named division is to be placed the state operated coal mine, the state cement plant, and other state industrial projects.

The department of agriculture is to consist of six divisions: animal industry, plant industry, markets and statistics, inspection, game and fish, and state fair. An extensive codification has been made in this bill (pp. 58–292) of all the laws relating to the agricultural work of the state. The passage of this part of bill alone would be quite an accomplishment for the state, and would set up a much-needed departmental organization to supervise the state's most important industry.

The department of education is to have the following five divisions: public instruction, the historical department, a board to administer federal funds for vocational education, boards to license trades and professions, and public health. This department seems to have been added to the bill as a kind of after-thought and is pretty much of a hodge-podge of activities. All the public health work of the state is to be placed in this department and subordinated to the secretary of education. The department is to take over the work of the superintendent of public instruction, a constitutional elective officer. Since this officer cannot be abolished by the bill, he is evidently to continue without anything to do.

The reorganization proposed by this committee follows rather closely, with the exception of the department of education, the recommendations on administrative organization made by the New York Bureau of Municipal Research in its survey of the state government, which was submitted to Governor McMaster in 1922. Recent reports are to the effect that the legislature will probably not act favorably on the work of its committee. A. E. B.

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Commercial Managers For English Cities.—The following interesting bit of information is clipped from the London *Municipal Journal:*

Hull Corporation is investigating the possibilities of economy and improved administration by the appointment of a commercial manager—an idea which appeals to the mass of ratepayers who think municipal affairs could be improved by a little more of the commercial element.

American towns in some cases have their business managers, who undertake the whole civic responsibility and the advocates of this system declare it to be eminently successful. England, however, is not likely to embark on similar business control of municipal affairs.

The Hull suggestion does not go so far as the American practice, but is merely to hand over what are essentially business concerns to a commercial manager.

There is nothing new in this idea, even in England. Leeds, indeed, has had a commercial manager for years and Sir Robert E. Fox, the town clerk, has just assured the Hull Corporation that the creation of this position has resulted in improved administration in the various labour employing departments of the corporation, par-

[1] University of Pennsylvania.

ticularly in the highways and the cleansing departments, where the costs of administration have been considerably reduced.

As there is nothing like success, the evidence at the moment is undeniably in favour of the commercial manager. When towns propose such appointments they will naturally base their decisions on towns which have made such experiments.

Leeds, then, proves that there is much in commercial management, and if a thing succeeds somewhere it ought to succeed anywhere—providing of course that the right commercial managers are obtainable. That is where difficulties may arise. We have not overmuch faith in those who describe themselves as supermen. They promise much but give little.

Possibly the Leeds innovation has been so conspicuously successful because the corporation already had in its service a man who had all the qualifications for the commercial management of the city. The corporation appointed Mr. J. B. Hamilton, the tramways manager, to take over the general duties in addition to those of tramway management. He acts as executive officer to the General Purposes Committee, which committee is appointed for the purpose of dealing with hours, wages, and conditions of labour of all the workmen employed in the corporation departments, and to deal, in consultation with other committees, from time to time, as may be necessary with the question of providing work for the unemployed.

He obtains and collects information as to comparable work in other towns, of the conditions obtaining with private employers in the city, and also with trade unions where standard rates of pay have been established. The information has been invaluable to the General Purposes Committee in assisting in maintaining uniformity of treatment between the various departments of the corporation and outside employment.

His responsibility for the distribution and supply of labour to the various departments has proved justified inasmuch as it has been beneficial in obviating overstaffing.

It will be seen that the Leeds commercial manager is by no means a civic boss, but merely a very valuable official who can comprehensively co-ordinate the manifold civic services.

Meanwhile Hull is considering. A deputation is to be sent to Leeds to see how the commercial manager scheme is progressing.

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Letter from Mayor Curley of Boston.—Apropos the article in the April issue of the REVIEW entitled "Boston Faces Radical Charter Changes" by George H. McCaffrey, secretary of the Good Government Association, Boston, we publish below a letter received from Mayor Curley:

The Editor, NATIONAL MUNICIPAL REVIEW,
New York, N. Y.

Sir: Replying to the article by the secretary of the Good Government Association in the April issue of your magazine, I beg to state that with the customary disregard for truth, the secretary of the Good Government Association declares that Boston faces radical charter changes. This declaration, made before a single member of the committee to make changes has been appointed, is most unusual, while the argument presented as reason for revision of the charter is illogical.

Great stress is laid upon the fact that in the election of 1922 but 29 8/10 per cent of the registered votes were cast, despite the fact that this is not an unusually low percentage as contrasted with the neighboring town of Brookline where in the town election of 1923 the total vote cast was but 29 4/10 per cent.

The failure to make mention of the exceedingly large percentage cast in 1921 which was in excess of 77½ per cent of the total registered vote savors of a desire to deceive the limited few who may read the article in question. The public as a whole recognize that under the charter of 1909 not only financial authority but authority with reference to ordinances and the conduct of municipal departments generally was centered in the mayor, and that the council as at present constituted lacks the power to override the veto of the mayor either in financial expenditures or amendments to the ordinances and is largely a debating society, which fact apparently the secretary of the Good Government Association has failed to discover but which the public, whom he terms "gangsters," know to be a fact.

The present mayor of Boston understands both the duties and responsibilities of the office which he occupies and proposes to administer them on a strictly business basis and does not seek either suggestion or advice from paid political parasites of the McCaffrey type.

The substitution of the district partisan system of election for the present city-wide non-partisan system would result in the re-establishment of a municipal legislative system under which business administration would be impossible and the vicious system conducted by log-rolling ward-healers controlled either by the Good Government Association or some equally corrupt body would be supreme and would afford opportunity to work not for the public good, but to work the public for their personal profit. The present system of government in Boston and the present council may not be ideal but it is so far superior to any that has previously obtained that it is advisable to carefully consider the possible results in event of a change. The fact that the Good Government Association is confronted for the first time with a City Council with sufficient intelligence and courage to formulate decisions without the advice of the Good Government Association's hirelings can scarcely be considered by intelligent men as a logical argument in favor of the abandonment of a system generally recognized as superior to any now in operation in any municipality in the United States.

Respectfully yours,

JAMES M. CURLEY,
Mayor.

Regional Planning in Los Angeles.—As already reported in the REVIEW, Los Angeles is taking active steps towards regional planning and a regional planning conference has been organized which meets regularly.

There have recently been two developments of interest:

The first of these is the appointment of a regional planning commission of five members by the county board of supervisors. The ordinance creating this commission took effect on January 18. It provides that the regional planning commission shall act in the capacity of an advisory body to the county in exactly the same way as the city planning commission in the several neighboring municipalities functions to their city governments. In addition, the regional planning commission is directed to co-ordinate, in so far as possible, the development programs of those municipalities constituting the metropolitan district to the county in so far as its territory intervening between these municipalities where the actual work is just getting under way is concerned.

The second added development is in respect to control over new subdivisions. The city of Los Angeles, under the direction of the city planning commission has, for some time now, been giving increasing attention to this subject. As a result, we have accumulated through experience, certain thoughts that have taken the form of standardized practice and standard requirements under given conditions. These with other thoughts and suggestions added through the regional conferences, have been combined in what we call a "Subdivisions Manual" that is now being published by the county for distribution among city engineers, planning commissions, private engineers and land owners in the metropolitan district. We lend much importance to this development especially in view of the rapidity with which the remaining raw land is being subdivided and developed into urban territory.

Our sewer systems give much difficulty due to the proximity of municipalities to each other and the peculiar topography of the metropolitan district. These same factors were involved in the seasonal flood menace that confronts our several communities during the run-off from the mountains to the sea. In 1913, the damage resulting from these floods was considerable and quite sufficient to compel action. The result was the formation by state act of a new political unit, the jurisdiction of which is co-terminus with the physical origin and hazard of flood. This is equivalent to saying that it is practically a metropolitan district. This new political unit ignores the municipality boundary lines and treats of a single physical problem through a single agency.

It is quite obvious that sanitary drainage is almost an exact duplicate problem, except in respect to peak flow, which in the former case is annual and in the latter is daily. The common menace, however, has not been so apparent in the sanitary drainage as in the spectacular seasonal flood, with the result that until recently nothing was done. Through the regional planning conferences, however, a consciousness of the interdependence of municipalities in the metropolitan district was aroused. We are, therefore, now in the midst of preliminary consideration looking toward attacking the sanitary problem from a metropolitan standpoint. The present law we find, in an ambiguous way, suggests the possibility of the formation of sanitary districts as large or as small as they may be desired. We want this definite, however, and a bill is now pending making metropolitan provision for the sewage problem definitely possible.

G. GORDON WHITNALL.[1]

Steps Towards Administrative Consolidation in Iowa.—Iowa has flirted with administrative reform at various times in her history as a commonwealth but no comprehensive reorganization of the administrative machinery has been undertaken as yet. A comprehensive study of the state administration was undertaken by a legislative committee, assisted by the firm of Quail, Parker and Co., in 1913. The committee suggested that seven administrative departments be created and that the head of each department be selected by the governor. In 1914 Doctor F. E. Horack of the State University of Iowa in a study entitled "Reorganization of the State Government in Iowa" advocated the adoption of what he pleased to call the Minnesota Plan of Administrative Organization which provided for six departments, each to be supervised by a director to be selected, so far as the constitution permitted, by the governor. Governor Kendall, when a candidate for the governorship in 1920, spoke frequently and effectively, during the campaign, in behalf of administrative reform and in his first message to the thirty-ninth general assembly which met in 1921 he made some specific proposals which did not, however, include a comprehensive scheme of reorganization. The legislature did not act on the governor's suggestions. Nevertheless, Governor Kendall renewed his recommendations to the fortieth general assembly which met in 1923; and house and senate committees on departmental affairs were selected to proceed to work out legislation based on the governor's proposals. After considerable delay, the committees finally made their report to the assembly. The report suggested the creation of two departments—a department of public health and a department of agriculture. The committees soon learned that the legislature

[1] Director, Los Angeles City Planning Commission.

was adverse to effecting any considerable administrative reorganization. Consequently, they withdrew the bill providing for the creation of a department of health. But the committees' suggestion for the creation of a department of agriculture was submitted to the legislature for its approval.

Although agriculture is the dominant industry in Iowa, the state government has never possessed an independent, completely organized department of agriculture. The present board is largely concerned with the management of the state fair. Outside of this function, its duties are inconsiderable.

After some hesitancy, the legislature approved of the recommendations of the joint committees. Governor Kendall has signed the bill and the newly created department is about to be set in motion. The act provides for the establishment of a Department of Agriculture under the direction of a secretary who is to receive a salary of $4,000 a year. The first secretary is to be selected by the governor with the approval of the senate. Upon the completion of the term of the first secretary, the act provides that subsequent secretaries shall be selected by the electorate. The members of the Iowa legislature were quite insistent upon the elective principle, believing that the danger in the future might arise of an "urban" governor being elected who might give his appointments a "city flavor"! In view of the fact that the rural electorate far outnumbers the urban in Iowa it is hard to understand the legitimacy of the legislators' fears.

The following independent establishments are transferred to the department of agriculture: The state weather and crop service; the dairy and food department, embracing all administrative agencies heretofore under the control and management of the state dairy and food commissioner; the department of animal health, embracing all the administrative agencies heretofore under the control and management of the commission of animal health; the state veterinarian department; state horticultural society; Iowa crop and small grain growers' association; Iowa beef and cattle producers' association; Iowa state dairy association; state poultry association; the hotel license and inspection service heretofore under the control and management of the state board of health; and the petroleum oil inspection service. The following agencies have been abolished: state dairy and food commissioner—the duties of the commissioner being transferred to the dairy and food department; the state veterinarian—the duties of this agency being transferred to the state veterinarian department; and the commission of animal health—the work of the commission being transferred to the department of animal health. Governor Kendall has called a special session of the legislature for December next to revise the Iowa *Code*. At that time the opportunity may present itself to induce the assembly to undertake, in a serious manner, a thoroughgoing plan of administrative reorganization.

GEDDES W. RUTHERFORD.[1]

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The Other Side of the Initiative and Referendum in California.—The following is a letter from Mr. A. S. Lavenson of Oakland, California, taking issue with the article by Doctor Haynes in the March REVIEW, entitled "California Sticks to the I. and R.":

Editor NATIONAL MUNICIPAL REVIEW,
New York.

Sir: In the March number of your publication is an article by Dr. John Randolph Haynes entitled "California Sticks to the I. and R." This article deals mainly with the efforts of an organization called the People's Anti-Single Tax League to alter the percentage of signatures required on initiative petitions in the matters concerning taxation. Doctor Haynes asserts the contention of the league referred to is that the people cannot decide wisely on financial matters, but he intimates that its purpose is to destroy the initiative by one means or another.

I am not a member of the Anti-Single Tax League and do not feel called upon to defend its actions nor to interpret its motives.

I am not opposed to the principle of the initiative, though I believe a legitimate difference of opinion can exist with respect to some of its uses.

Doctor Haynes' statement is an *ex parte* presentation of the subject and since I believe something can be said on the other side, I ask your indulgence for that purpose.

There are people to whom the initiative is sacred. "The King can do no wrong"—and there can be no improper use of the initiative. As a matter of fact, *can* the people *en masse* decide wisely on financial matters?

One of the initiative measures involving taxation, cited by Doctor Haynes, and which provided for an increase in the appropriations for public schools from state funds, was carried by a large majority in the election.

Our lieutenant governor, in a public address, stated that of a group of a dozen members of the Berkeley Chamber of Commerce, *only one* knew that the measure in question placed a financial obligation of over $8,000,000 upon the state.

[1] Associate Professor of Political Science, Grinnell College, Grinnell, Iowa.

Was their vote on this proposition based on a wise discrimination? And may they not be considered to represent at least the average intelligence and wisdom of the voters of the state, as applied to financial matters?

It is very easy, without restraint, for people in all positions and walks of life to create financial obligations when their responsibility ceases with the creation of them. In addition to the case mentioned above, the people of this state had voted other financial burdens on the government, until the expense of administration far exceeds the receipts from taxes. As a consequence, the present governor was elected on a platform of economy, this practically being an admission by the people themselves that they had not wisely decided on financial matters. It is true, we also now have a state budget system, but of what avail is it when the people, by constitutional enactment, fix financial obligations which can only be relieved by another vote of the people?

Doctor Haynes says, "It is both interesting and significant to note that the State of California is supported entirely by a direct tax on corporations and not an *ad valorem* tax."

I take it the significant thing is that the people can vote anything they want—they may even make mistakes with impunity—because the corporations pay the bills.

I do not overestimate the Doctor's ability when I say I believe he could put up a mighty stiff argument to prove that the people pay when the corporations are taxed.

Another of his citations was an initiative measure repealing the poll tax which was adopted a few years ago. Instead of this being an act of wisdom, I am firmly of the opinion that it was one of pure selfishness. The individual voter's attitude toward the two dollars which he saved was vastly more personal than it was toward his share of $8,000,000 which he voted to expend.

Some years ago the people of this state voted an amendment exempting churches from taxation. I was among those so voting. I now realize how sentiment caused us to ignore the practical view of the matter. Churches may now occupy property which has become the very center of business activity and of high value. The city and the county not only lose the tax revenue from the church properties but suffer an added loss to whatever extent the churches prevent surrounding development. The churches could still be allowed the exemption with no appreciable loss to the community, had we been as wise as we might have been. If I and the majority of voters had been experts or even students in real estate matters, we would have stipulated that the exemption from taxation would apply to church property located without the fire limits, or under some other similar restriction. This would be no hardship on the churches, because if they wanted to take advantage of the exemption it would only be when their land values had increased sufficiently to pay for a new building in another location.

No banking institution nor business enterprise could succeed if they permitted the stockholders to promote financial experiments over the heads of those who are trained to the work and charged with the responsibility of making both ends meet.

No government can avoid just such a condition as our state is now confronting, with everybody taking a hand in dispensing its funds.

An effort to restrain the use of the initiative in fiscal matters is not necessarily an attack on the initiative, but is more apt to be the application of ordinary business prudence to the administration of the public business.

Sincerely yours,

A. S. Lavenson.

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Removals in the Civil Service.—The subject of removals in the civil service system has probably given rise to more criticism and comment on the system as a whole than any other one technical problem. The two principal sources of criticism are: first, the ordinary citizen, who views the civil service system from the outside and who is skeptical about it; and second, the employe who is seeking to protect himself from injustice, even, at times, at the expense of the best interests of the service. The average citizen has gained the general impression that the civil service is filled with dead wood, that there are a great many incompetent and inefficient employes who ought to be got rid of, that under the civil service rules it is practically impossible to remove them unless it can be proved that they are guilty of a crime. The attitude of the average citizen is largely based on erroneous assumptions. Generally speaking, heads of departments can easily rid the service of the inefficiency, if they would. (It is probably not true, however, that the average civil service employe is less efficient than the average employe in private enterprise.)

The employes themselves, on the other hand, claim, and justly so, that on occasions removals are made for political reasons or because of personal prejudice. A superior officer may take a personal dislike to one of his subordinates,—not because of any dereliction or lack of interest or efficiency in the performance of duty,—and remove him arbitrarily. This may be due to the fact that there are loopholes in the system provided for entrance to those particular vacancies but whether it is possible to correct the system so far as it is defective in the matter of entrance to the service is another question. In any case it seems to be expedient and just to give employes a measure of protection from unjust discrimination in the matter of removals.

It is quite natural that the employes should turn to the only measure of protection which they

have knowledge of, namely, the right to carry their removal cases into the courts on a writ of certiorari. Veterans, volunteer firemen, members of the police and fire fighting forces and other special classes of employes in many jurisdictions have the right in cases of removal to review in the courts on writ of certiorari. What could be more natural than for the other thousands of civil service employes to say, "If policemen and firemen have this right, why should not we all have it?"

Court review for all civil service employes would lend such strength to the criticism which is now made of the civil service system on the part of the uninformed public that it would be impossible to controvert it. At the present time removals that should be made in a great many instances are not made because of the apathy of heads of departments. For this reason, the criticism of the general public should not be directed against the civil service system as provided by law, except in so far as a special exception is made of the cases enumerated above; but criticism should be directed against the heads of departments who fail to act as they are now permitted to act under the law. If, however, the law is amended so as to require of the head of department that in every case where removals are made or disciplinary action taken against any employe he shall hold a formal trial with witnesses sworn and testimony taken in accordance with all the legal rules of evidence with full rights guaranteed to the employe that in case he is dissatisfied with the outcome he may carry his case into court on a writ of certiorari, with the right to appeal to the higher courts, the criticism of the public as directed against the civil service on this score would be completely justified. It has already been found that in many cases where certiorari proceedings are taken by dismissed employes the court has found that some slight technicality was neglected by the removing official and the employe has been reinstated with perhaps two years of back pay. In such cases there has been no question as to the sufficiency of the facts. We have no doubt, however, that the court may sometimes unconsciously be influenced by his personal opinion as to whether the facts in the case were sufficient to justify the action taken by the head of the department. Civil service reformers while recognizing the need for some further measure of protection for employes against unjust removal, have always stood against any extension of the right of court review on writ of certiorari.

Those interested in this subject have made an honest effort to work out a plan which will provide for the employes the measure of protection against unjust removal to which they are entitled and at the same time which will conserve the best interests of the service and protect the system from the criticisms which are now so prevalent on the part of the general public. The National Civil Service Reform League has sponsored legislation which would provide for the creation of an independent agency under the control of the civil service commission to take cognizance of charges made by any citizen against employes in the classified service, and after a hearing, to remove employes found guilty of incompetency, inefficiency or other dereliction. Under this scheme the existing power of heads of departments to make removals at will is left untouched.

In the services of the states of Illinois and Colorado, of Cook county and Chicago and to a limited extent in some other cities, the civil service commission alone is authorized under the law to act in all cases of discipline and removal. The New York Civil Service Reform Association has for several years offered in the New York state legislature a bill providing for similar systems in New York as a substitute for the court review bill which has been insisted upon by the employes. There has been no progress made with this legislation, although on several occasions the court review bill has passed one or the other branch of the New York legislature.

It may be that giving complete jurisdiction to the civil service commission is not a satisfactory solution of the problem of removals in the civil service. It seems obvious, however, that such a plan is infinitely better than to run the risk of throwing all cases of removal in the courts as would be done by providing employes with the absolute right to a formal trial by the head of a department. The subject needs the careful attention of every public-spirited citizen, and it is hoped that a satisfactory solution may be worked out so as to prevent the incorporation in the law of any provision for court review excepting as to procedure. H. W. Marsh.

*

A Score Card for W. Va. Cities.—The next great step in the improvement of government lies along the development of objective tests of

efficiency. About the only tests that are commonly applied to-day are comparative tax rates. From the standpoint of successful government it would be hard to imagine a more meaningless test. Service rendered per dollar of taxes sounds reasonable on the face but we find it valueless in practice because we have never decided what service is or by what units to measure it.

The success of the Morgantown, W. Va., municipal score card, by means of which 400 citizens graded the efficiency of the various community undertakings, has led the Extension Division of West Virginia University to prepare a revised community score card for use of all West Virginia cities and towns. Readers will remember that the Morgantown scoring was reported in the April issue of the REVIEW. It was conducted by the chamber of commerce with the co-operation of the University.

West Virginia University is now prepared to furnish to responsible civic groups in the state tested plans for gathering together the facts which may be made the basis of a community score. Members of the faculty are available to help interpret the scoring "points" according to standards worked out by the University with the aid of many state and national authorities. Mr. Nat T. Frame, director of agricultural extension, is in charge of the work for the University.

We reprint below an excerpt from the score card put out by West Virginia University because it will be of interest to all who are trying to discover how the government of their city measures up. The score card is arranged under sections devoted to particular aspects of community life, and it is the government section which we reproduce. Other sections relate to health, education, etc.

GOVERNMENT

	Points Possible	*Points Earned* 1st yr.	2d yr.	3d yr.
A. HOME RULE:				
1. *Charter:* Made and amended by committee of citizens and approved by electorate.	(3)	(0)	(0)	(0)
2. *Civic Activities:* Council active and capable; at least 80 per cent of electorate participate in all elections; goodly number of live organizations as mobilizing agencies.	(8)	(0)	(0)	(0)
3. *Town Hall:* Municipally owned; adequate for all community purposes; housing all city officers, city archives, and a community library; used as a community center.	(5)	(0)	(0)	(0)
B. ORGANIZATION:				
1. *The Council:* Five to ten members, one-half elected every two years; has legislative powers only; appoints city manager; creates administrative departments but has no control over appointment of officers, not even confirmation; presided over by mayor who is a member of council and official head of city; nominated by petition and elected on a basis of proportionate representation from the city at large.	(5)	(0)	(0)	(0)
2. *Administrative Service:* A city manager as chief executive of city chosen solely on basis of administrative qualifications; salary fixed by council; not necessarily a resident of city or state; solely responsible for all subordinates; prepares annual budget.	(8)	(0)	(0)	(0)
3. *Administrative Departments:* Should not exceed six. Possible groupings; law, safety including fire and police, health, public works, finance, and education. Education, however, may be separated from regular city government. Functions of each department determined by council; heads appointed by city manager; subordinates named by competitive examinations.	(5)	(0)	(0)	(0)
C. ADMINISTRATION:				
1. *Law:* City attorney with eye single to the best interest of city; police judge appointed by council and supporting police by securing convictions; juvenile courts and juvenile police; all courts fitting into state system.	(5)	(0)	(0)	(0)
2. *Safety:* (a) Police efficient and exemplary; activities of each patrolman recorded from day to day; records of crimes and criminals; number of police force to be determined by character of population or area of city; adequate salary. (b) Fire department well organized and adequately manned force with engine, fire hose, ladders, etc., all motor drawn; building code drawn with view to fire prevention; regular inspections with a view to fire preventions; fire drills in schools; educating public in methods of fire prevention.	(15)	(00)	(00)	(00)

	Points Possible	*Points Earned* 1st yr.	2d yr.	3d yr.
3. *Public Works:* Reasonable expenditure for paving, sewering, and other public works including up-keep of all; all work done according to plan; departments in charge of competent engineers; complete and accurate records of all preliminary surveys and completed work; tests of all materials used in paving; frequent inspection of all work being done for city; garbage removal and street cleaning done regularly, systematically, economically; inspection of bridges; use of labor saving devices; and accurate accounts of all expenditures and complete records of all services performed for city.	(15)	(00)	(00)	(00)
4. *Financial Provisions:* A director of finance with direct supervision over accounts, financial records and assessments, collection of taxes and custody of funds; all accounts kept and approved in business-like form; financial reports made at least quarterly; tax rates not excessive and determined by council; all assessments at fair market values and revised by Board of Equalization. Special assessments for special benefits but in no case to be excessive; all permanent improvements made by bond sales; bonded indebtedness not to exceed 5 per cent of assessed value on property subject to direct taxation; temporary loans strictly safeguarded; all purchases to be centralized.	(15)	(00)	(00)	(00)

Health: (See "Health" section of Score Card).
Education: (See "Education" section of Score Card).

D. PUBLIC UTILITIES:
Franchises and removals made only by ordinance and after public hearings; franchises non-transferable except by ordinance; may be terminated at intervals of not more than five years by condemnation and for purchase by city; strict regulations that good services may be had at reasonable charges; city should have right to repeal franchises for misuse and should be able to compel extensions and improvements; city should provide forms of accounts for all utilities and require the keeping of inventories of all utilities property.

	(12)	(00)	(00)	(00)

E. CITY PLAN:
To assure continuity city planning should be in charge of citizen board of which the city manager should be a member ex-officio; all planning should comprise zoning, streets, parks, buildings, extensions, etc.

	(4)		(0)	(0)	(0)
Total Points Possible	(100)	Earned	(00)	(00)	(00)

II. CITY MANAGER NEWS

BY JOHN G. STUTZ

Executive Secretary, The City Managers' Association, Lawrence, Kansas

More About Boulder.—The citizens of Boulder, Colorado, expressed their approval of their city manager plan of government on April 10, by a vote of 2,730 to 1,340, when an attempt was made to change to the mayor and council form of government. The old city politicians, under the leadership of a former mayor, led the fight for the mayor and council form of government. The services rendered the city by former City Manager O. E. Heinrich and Mr. Scott Mitchell, present City Manager, were much discussed by the newspapers of Boulder as well as the newspapers in neighboring cities.

✻

Petitions, requesting the calling of an election to decide whether or not the city manager plan of government shall be adopted in Beatrice, Nebraska, have been filed with the city clerk. The special election will soon be called to decide whether or not the question shall be placed on the ballot in the spring of 1924. The proposition has twice been defeated in Beatrice.

✻

Durango, Colorado, will remain under the commission-manager plan of city government as a result of the decision of the voters in an election held on April 4 to change the charter to the mayor and council form of government. The present form was retained by a majority of 189 votes out of 1,067 votes cast.

✻

Stockton, California, will have a representative city commission if the ticket supported by the citizens' committee is elected. This committee is composed of representatives of business, labor and other interests in all sections of the city.

Durham, North Carolina, rejected a change from the city manager plan of government by a majority of 1,164 out of 2,674 votes cast.

✻

A City Manager charter for Lansing, Michigan, was defeated in an election held on April 2.

✻

Bert Wells, city manager of Atchison, Kansas, for the past two years, was given a $500 a year increase of salary on April 11. His salary is now $5,000 the year.

The Leavenworth *Sunday Times* comments editorially: "A strange thing has happened at Atchison—a faithful servant, who has cut expenses in every department and turned a deficit into a surplus, has been endorsed by the people. The mayor and commissioners who placed the manager in office were re-elected on April 4 by a vote of five to one. Atchison deserves the good government she is getting and it is quite probable she is in for a lot more of it during the coming years."

✻

E. M. Boon, a business man of Brownwood, Texas, has been appointed city manager to succeed A. C. Bratton. Mr. Bratton has resigned to return to the business of contracting.

✻

Highland Park, Texas, has adopted the city manager plan of government. Mr. H. S. Cooper has been appointed city manager.

✻

La Tuque, Quebec, has secured Mr. J. Nap Langelier as city manager at a salary of $5,000 the year. Mr. Langelier was for seven years previous to the appointment chief of the town of Pointe-Aux-Trembles, Quebec.

✻

Wolfville, Nova Scotia, will operate under the city manager plan by vote of the mayor and council. They have secured Gordon F. Stairs for the first manager. Wolfville has a population of 2,500.

✻

Clearwater, Florida, has employed William R. Galt as manager at a salary of $3,000 the year. Mr. Galt was formerly resident engineer in charge of water control and construction in Norfolk, Virginia.

✻

Bluefield, West Virginia, has employed Dr. David Littlejohn, formerly health officer of Ishpeming, Michigan, as full-time health officer. His first attention has been given to the preparation of ordinances governing the inspection and grading of dairies, restaurants, and eating places. By way of educational work, Dr. Littlejohn has a column in the Sunday edition of the local paper in which he writes on some topic pertaining to public health. S. N. Rangeley, Jr., has been appointed assistant manager succeeding Harold G. Schutt.

✻

The Tampa "Sunday Tribune" of March 25 carries a full page advertisement of the city of Lakeland, Florida. Among other advantages claimed for the city the following appears: "A commission-manager city charter assures the cleanest and most economical political government, and the personnel of the official family is guarantee of the rights and interests of the people being guarded and maintained." The advertisement is signed by Antone Schneider, city manager, and T. J. Appleyard, Jr., secretary of the Chamber of Commerce.

✻

Manager Beck Successful in Lynchburg.—Commenting editorially upon the report of City Manager E. A. Beck, the Lynchburg *News*, which is owned by Carter Glass and Sons, writes as follows: "Taking it all in all the report inspiringly attests the presence of business prudence, of sensible economy, and of wisely predicated progress, as the animating spirit of the city government. It indulges in no boastful claims. It simply, but with great particularity and convincing force, submits the results of the government's activities during the past twelve months as a basis for the information of the council and of the public. The record this portrayed may properly appeal to the profound and grateful satisfaction of the community."

✻

J. C. Manning has resigned his position as manager of Sapulpa, Oklahoma, to accept employment with the Blanchard-Rowe Investment Company of Chicago.

✻

Fire Department Hastens Thirty Miles to Fight Blaze.—Units from the Santa Barbara, California, fire department, under the personal direction of City Manager Fred Johnson and a crew of fire fighters were rushed to Alcatraz, thirty miles north of the city, on a special train, for the purpose of fighting a fire which threatened to destroy the Associated Oil Company's tanks. The fire destroyed the main pumping plant with a loss of $50,000 and burned over an acre of

ground around oil tanks containing two hundred thousand gallons of oil before the department succeeded in placing the fire under control.

✻

Albuquerque, New Mexico, is approaching the one million dollar mark in total capital assets, according to the report of the accountants which have recently investigated the city's books. The general fund shows a surplus of more than forty thousand dollars. Among the bills receivable by the city is an item of approximately four thousand dollars due from the county for fire protection outside of the city limits.

✻

The following cities are considering the commission-manager plan of government: Richmond, Virginia; Rochester, New York; Halifax, Nova Scotia; Corvallis, Oregon; East Orange, New Jersey; El Paso, Texas; Petaluma, Oroville, and Santa Ana, California, and York, Nebraska.

III. AMERICAN CIVIC ASSOCIATION ITEMS

EDITED BY HARLEAN JAMES

The Washington Conference.—The orderly development of Washington is of vital concern to every citizen of the United States. Bricks and stone, hills and trees, stretches of green grass and distant views may and do have a profound influence on human beings. The assembling of these materials may typify an ideal far more important than the actual beauty of the building, monument or landscape. The beauty of Washington, in so far as it is beautiful, is an expression of our democracy. No public building, no public park, no public street *can* be made too beautiful for our citizens to enjoy. We in the United States do not stand for fenced-in beauty. We believe that the community should provide for every man, woman and child in the United States dignified buildings in which to conduct their public business and well planned parks in which to enjoy their leisure. Washington, the Capital of the Nation, was well-conceived and in many particulars the realization of the L'Enfant Plan has given the city a distinction found in few other capitals of the world. But we have outgrown the L'Enfant Plan. The extension of the streets and avenues which cover a comparatively level area of the old city into the hills which surround it is proving inconvenient, expensive and destructive of the really fine landscape of the District of Columbia. No provision is being made for neighborhood parks to serve the newly-developed residence districts. Altogether there is grave danger that Washington may be ruined, that the plan so well conceived nearly a century and a half ago may be surrounded by a "crazy-quilt" of streets and houses with little or no claim to beauty, convenience or economy. There is a recognized profession which deals with the laying out of new areas, but the city of Washington is not taking advantage of the expert guidance which it might command to insure the development of the entire region which is now rapidly being covered with streets and buildings.

In the recommendations of those eminent Americans who assisted Senator McMillan over twenty years ago—Daniel H. Burnham, Charles McKim, Augustus Saint-Gaudens and Frederick Law Olmsted—we have a park plan for Washington. Unfortunately all of the recommendations have not been followed and some of the areas then suggested for parks have been diverted to other uses. Others may still be obtained if action is not delayed too long. In the old L'Enfant street plan which superimposed a system of diagonal avenues over the gridiron which already existed, we have a highway system of charm and convenience for the old city. But there has never been a proper study of the residential areas surrounding the comparatively small inner city. Yet streets and buildings are being placed upon this area regardless of contours. Stream beds are being filled, hills gashed into steep clay banks, forest trees cut down and on many of the filled areas miles of row houses are already built, some of them already showing ceiling and wall cracks which presage greater damage later on. One purchaser of a home built on "made land" saw his pantry and kitchen part company from the rest of his house. Another was observed, after a recent storm, gazing ruefully into a "sunken garden," as big as his house, which had appeared overnight in his front yard.

Washington needs appropriations to purchase parts recommended in the McMillan report. It needs a method of selecting park areas for

the region being developed. Washington needs a re-study of its highway system if the city is to escape ruinous damage to its landscape. In other words Washington needs a regional plan and it needs that plan very promptly.

Recognizing these needs the American Civic Association has announced an extensive project to organize committees in Washington and in fifty or more cities of the country to promote the orderly development of the Federal City. Mr. Frederick A. Delano has taken the chairmanship of the Washington committee and will proceed to select the members of the committee following the inspection trip and conference dinner held in Washington on April 21. At this dinner Federal and District officials presented facts which showed the progress of the city and its needs in parks, highways, housing, recreation, number and location of public school buildings and grounds, zoning, traffic and federal public buildings. The trip which preceded the dinner conference demonstrated to those who participated that the city of Washington had already suffered great destruction and was threatened by an outer setting unworthy of the gem of the beautiful inner city.

Federal and District officials have pledged their co-operation with the citizens' committees and by the time that the 68th Congress convenes the necessary legislation will be placed before this "common council" of the city of Washington.

The secretary of the American Civic Association started on May 1 on a field trip to organize committees on the Federal City in some fifty cities of the middle and far west. Announcement will soon be made of the chairmen in these cities.

Any reader of the REVIEW who is interested in the welfare of the Capital of the Nation may subscribe for the Fact Service on the Federal City which is to be inaugurated in October. The price is $10.

*

George E. Kessler.—Mr. George E. Kessler, who died on March 20, was a valued member of the executive board of the American Civic Association. Mr. McFarland has paid tribute to the service of Mr. Kessler by saying that he "has left upon his nation and upon more than one state in it enduring memorials to his genius, devotion and public spirit. It would be impossible to rate in terms of millions of dollars the value to the public welfare of what he has done, and such rating would be on a poor scale of values if it could be accomplished." Mr. Kessler's sound advice and unselfish service on the board of the American Civic Association will be missed.

IV. MISCELLANEOUS

Colorado Municipal Conference.—A municipal conference was held at Boulder, Colorado, April 26 to 28, under the auspices of the extension division of the University of Colorado. Our readers already know that Dr. Don C. Sowers, formerly secretary of the Akron bureau of municipal research, is now in charge of the municipal research work at the University.

Outstanding features were addresses by five Colorado city managers, and an address on municipal accounting by Henry Sayer, city auditor of Boulder, and one by Doctor Sowers on the activities of the various leagues of municipalities.

*

National Conference on City Planning.—The fifteenth annual meeting of the National Conference on City Planning was held in Baltimore April 30 to May 2. A great part of the program was devoted to regional planning in its various aspects. George B. Ford of New York discussed the principles of regional planning, George A. Damon of California spoke on transit as a regional planning problem and Robert H. Whittin of Cleveland talked on zoning in relation to regional planning. The local planning problems also came in for a great deal of attention as is customary at all meetings of the Conference.

We go to press too late to announce the officers elected for the next year.

*

Legislative Bulletin Service.—The Detroit Bureau of Governmental Research is again publishing a weekly legislative bulletin reporting the status of important measures in the legislature. By confining attention to the few important measures, the bulletin is made a very useful publication to any interested citizen.

*

Kentucky Being Surveyed by State Efficiency Commission.—The state of Kentucky is undertaking a survey being conducted by a

state efficiency commission authorized by the last legislature. Griffenhagen and Associates have been engaged as the technical staff.

The commission which is made up of private citizens, expects to take up each activity of the state government, including the county offices, and try to discover if it is a necessary activity, if it is costing too much for the return given and can it be bettered and, if so, how.

Griffenhagen and Associates were chosen because of their experience with similar work in other states and in Canada.

The commission believes that Kentucky is suffering from an accumulation of laws which lead to overlapping and uncoordinated governmental activities.

✻

Camden Being Surveyed.—The New York Bureau of Municipal Research is conducting a comprehensive survey of the administration of Camden, N. J., under a contract with the new city commission. It will be recalled that following the election last year at which a reform candidate was elected mayor, Camden voted to change its charter to the commission form. At the first election for new commissioners the entire reform ticket was chosen and one of the first official acts was to engage the Bureau to make a survey. Already a number of administrative reforms have been accomplished, including the introduction of centralized purchasing.

For a good many years Camden has been content if not corrupt but for the time being at least she is committed to reform.

✻

League of Women Voters to Promote Political Education.—At the annual meeting in Des Moines in April the League of Women Voters passed the following resolution:

> WHEREAS, the program of the League of Women Voters is to increase the numbers of efficient voting citizens, and
>
> WHEREAS, the realization of that purpose rests upon clear ideas of Government and Politics in the minds of energetic men and women;
>
> BE IT RESOLVED, that the National League of Women Voters in Convention assembled, recommend that in the coming year, each state League undertake a plan of study which gives special emphasis to the machinery of municipal and county government, the analytical observation of legislative bodies, and an understanding of the presidential primary laws, with a view to full participation by the electorate in the primary of 1924; and
>
> BE IT FURTHER RESOLVED, that each state League recommend such studies to each of its local Leagues in order that clear ideas necessary to intelligent voting may be broadcasted throughout the state.

✻

Hatton Enters Race for Cleveland Council.—Members of the National Municipal League will be interested to know that Dr. A. R. Hatton, who drafted the new Cleveland charter providing for proportional representation in the council, has announced his candidacy for membership to that body. Hatton is known locally as the father of the manager plan. His platform is as follows:

1. A fair trial for proportional representation.
2. Selection of a really competent manager.
3. Observance of the rule that a city must live within its income.
4. Planning now for the extension of municipal ownership to all public utilities.

With reference to the last plan Doctor Hatton makes it clear that he does not promise that municipal ownership is a thing which can or should be accomplished at once. He does, however, think that experience shows that Cleveland must be looking toward it and should begin long and intelligent preparation for it.

✻

"Detroit's Government" is the title of a short story of the services rendered during the year 1922 to the people of Detroit by their city government. It is a neat pamphlet of 127 pages and, with illustrations, tells you what you want to know about the city's activity. Detroit needs no advertising from us but she is deserving of additional fame for the publication and distribution of such a useful document. About a hundred thousand copies are distributed at four cents each through civic organizations and the schools. The board of education uses it as a basis of a course in community civics in the sixth grade and above. Much of the credit for the report is due to the city comptroller, Henry Steffins, Jr.

The science of reporting government is still in its infancy (witness the many dull and unintelligible municipal reports which reach this office) but such publications as *Detroit's Government* indicate a growing appreciation of the value of good reporting and a developing technique.

✻

Tunnel Commenced Between Brooklyn and Staten Island, New York.—On Saturday, April 14, ground was broken for the construction of

the Brooklyn shaft of the freight and passenger tunnel which is to unite Staten Island with the mainland. The work was commenced with proper ceremony, including music by two bands and an escort of boats.

The construction of the Brooklyn shaft marks the first step in the work and is to cost $459,000. However, the completion of one shaft, no matter with what ceremony it was begun, does not mean that the tunnel is assured. The Port of New York Authority is opposed to it and the estimated cost is $60,000,000, but so far no one has said where the $60,000,000 is to come from. However, anything that looks like a tunnel is pleasant in the eyes of those who own property on Staten Island.

*

The Fourth Annual Meeting of the Southwestern Political Science Association was held at Southern Methodist University, Dallas, Texas, April 2–4. The three days' sessions were devoted to sections on public law, international relations, history, government, nominating systems, economics, and sociology. History was added to the other social science groups in the Association and an amendment to the constitution was adopted changing the name to "The Southwestern Political and Social Science Association" and the name of the *Quarterly* to the "The Southwestern Political and Social Science Quarterly."

Officers elected for the ensuing year are: President, Mayor E. R. Cockrell, Fort Worth; vice-presidents, re-elected, G. B. Dealey, Dallas, Texas, F. F. Blachly, University of Oklahoma, D. Y. Thomas, University of Arkansas; elected members of the executive committee, E. T. Miller, University of Texas and Walter Pritchard, Louisiana State University. Professor Herman G. James of the University of Texas was re-elected editor of the *Quarterly* and Mr. Frank M. Stewart of the University of Texas was re-elected secretary-treasurer and editor in charge of the *Quarterly* until Professor James's return to the University.

Members of the advisory editorial board of the *Quarterly* were re-elected as follows: Professors Blachly and Thomas, and C. F. Coan, University of New Mexico, M. S. Handman, University of Texas, and G. P. Wyckoff, Tulane University of Louisiana.

The meeting place for the next annual meeting will be selected later by the executive committee.

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A New Municipal Program

Edited by Clinton Rogers Woodruff. Twenty years of municipal reforms in all parts of the United States are analysed and summed up in this book. It presents for the first time a Model City Charter, being a complete plan for a sound, sane and economical city government based upon those principles which experience has proved successful. Each chapter is written by an expert and deals with that side of municipal control which has been made a subject of special study by the author.

Experts in City Government

Edited by Edward A. Fitzpatrick. An incisive discussion of the whole subject of expert administration for municipalities. Covers specific as well as general applications of the use of experts in city government, regarding the latter as a highly specialized organization.

Municipal Functions

By Herman G. James. A survey of the major activities of the typical city, considered separately by departments, bureaus, and problems. A useful guide for all who wish to know by what standards a city government may adequately be measured.

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Edited by Edward J. Ward. A thorough discussion of the use of the school house as a community center. Outlines a complete and practical plan. Written out of wide experience with the problems discussed.

The City Manager

By Harry Aubrey Toulmin, Jr. A complete exposition of the city manager plan, with special information as to the legislation necessary to install the plan, how to carry it out, and how to overcome the difficulties encountered.

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By R. E. Cushman. A valuable consideration of the subject of taking for the benefit of the city the increased value of property accruing from public improvements. A live question, and an important book for municipal societies, leagues, women's clubs, libraries, and individuals.

The Regulation of Municipal Utilities

Edited by Clyde L. King. A comprehensive and impartial résumé of the whole problem. A history and commentary, with many practical suggestions for the solution of present and future problems of municipal utilities regulation.

The Initiative, Referendum and Recall

Edited by William Bennett Munro. A full and unbiased discussion of direct legislation, its purpose and use, with a complete statement of its probable effect upon our social and political life as seen by those who favor it, as well as those opposed. *$2.75 postpaid.*

Lower Living Costs in Cities

By Clyde L. King. Analyzes the present-day living costs of city dwellers, and presents the essentials of a constructive program for efficiency in American cities. Written in a fine spirit of public service, with a strong appeal for alert and intelligent citizenship.

Woman's Work in Municipalities

By Mary Ritter Beard. A coherent account of the efforts of American women to make our cities and towns more beautiful, human, healthful, and happy places in which to live. Impressive for wealth of fact, and potent as a factor in the making of a conscious national womanhood.

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THE LEAGUE'S BUSINESS

New High School Pamphlet Just Off Press.—The League has just published a pamphlet designed for classes in government which is expected to meet a long-filled want. It is entitled "Outlines of Responsible Government." Edgar Dawson is the editor-in-charge, and each chapter has been written by a specialist in collaboration with an experienced teacher of civics.

The chapter headings with authors are as follows:

The Short Ballot—R. S. Childs, vice-president, National Municipal League, in collaboration with W. W. Rogers, Curtis High School, New York.

The City Manager Plan—A. S. Beatman, Julia Richman High School, New York, in collaboration with A. R. Hatton, charter consultant, National Municipal League.

The Budget—Luther Gulick, director, National Institute of Public Administration, in collaboration with W. L. Rice, Boys' High School, Brooklyn.

Essentials of a State Constitution—G. D. Luetscher, New Utrecht High School, New York, in collaboration with Edgar Dawson.

The chapter on The Budget was reprinted in the June issue of the *Historical Outlook*, which is read by about 10,000 teachers. The first response we received is exceedingly encouraging and we can't refrain from reprinting it here:

> Having just opened my *Historical Outlook* I find the notice of the four papers issued by your society. They are evidently just what I have long wanted and I beg you to send me one dozen of each by return mail if possible, since our school year is nearly over. To save time I enclose my personal check for $2.50; if that is not enough I will remit the balance immediately; if it is too much you may send me enough copies to balance. And please put me on your list of schools to receive your announcements.

Copies of this pamphlet, which is illustrated by charts, photographs and cartoons are being sent gratis to several thousand teachers. It is hoped that they will buy additional copies for their students.

*

Our Legislative Mills is the title of a series of articles on our state legislatures beginning in this issue. One article on a single legislature will appear each month for the next year. Typical states east, west, north and south will be covered. They are written by well-qualified persons and they will be readable. Place your subscription now so that you may receive the entire series.

*

Why We Need Excess Condemnation, which appears in this issue, with illustrations, has been reprinted in pamphlet form. We shall be glad to send you two or three copies gratis and quote you a very low rate on quantity lots.

*

LEAGUE MEMBERS TAKE NOTICE

To the Members of the National Municipal League:

You are hereby notified that at the special meeting of the Association to be held at the City Club, 55 W. 44th Street, New York, N. Y., on the 18th day of September, 1923, at five o'clock in the afternoon, a proposition to incorporate under Article 3 of the Membership Corporations Law of the State of New York, pursuant to Section 42 of said law, will be acted upon.

Dated June 4, 1923.

H. W. Dodds,
Secretary.